Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82B (07-13)
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POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 92045

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☑ The address associated with the above-mentioned Customer Number

OR

☐ The address associated with Customer Number:

OR

Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Sitting Man, LLC

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	/Robert Paul Morris/	Date (Optional)	
Name	Robert Paul Morris		
Title	Managing Member		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

GOOGLE EXHIBIT 1002

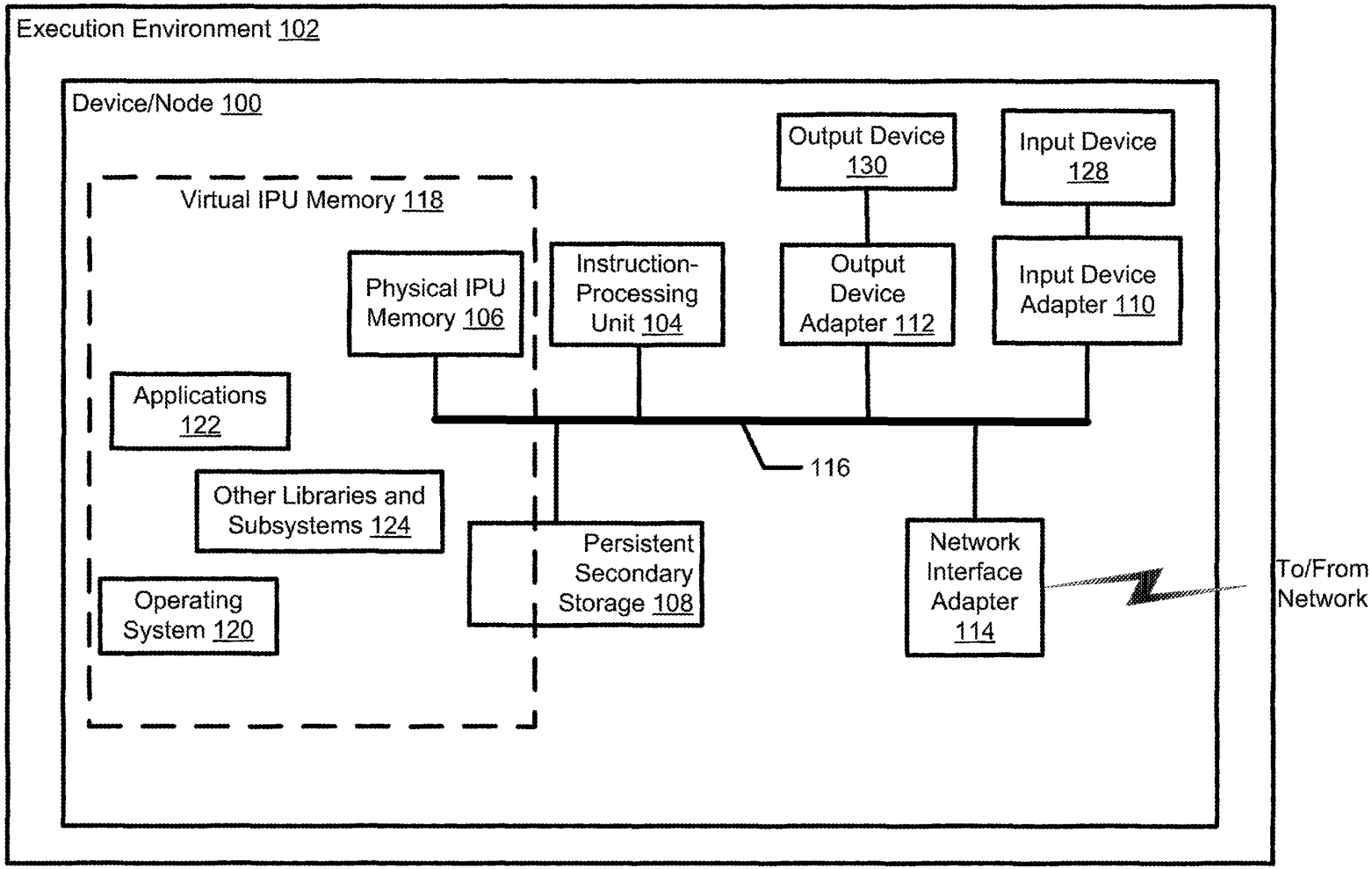

Execution Environment 102
Device/Node 100
Virtual IPU Memory 118
Physical IPU Memory 106
Instruction-Processing Unit 104
Output Device 130
Output Device Adapter 112
Input Device 128
Input Device Adapter 110
Applications 122
Other Libraries and Subsystems 124
Operating System 120
116
Persistent Secondary Storage 108
Network Interface Adapter 114
To/From Network

Fig. 1

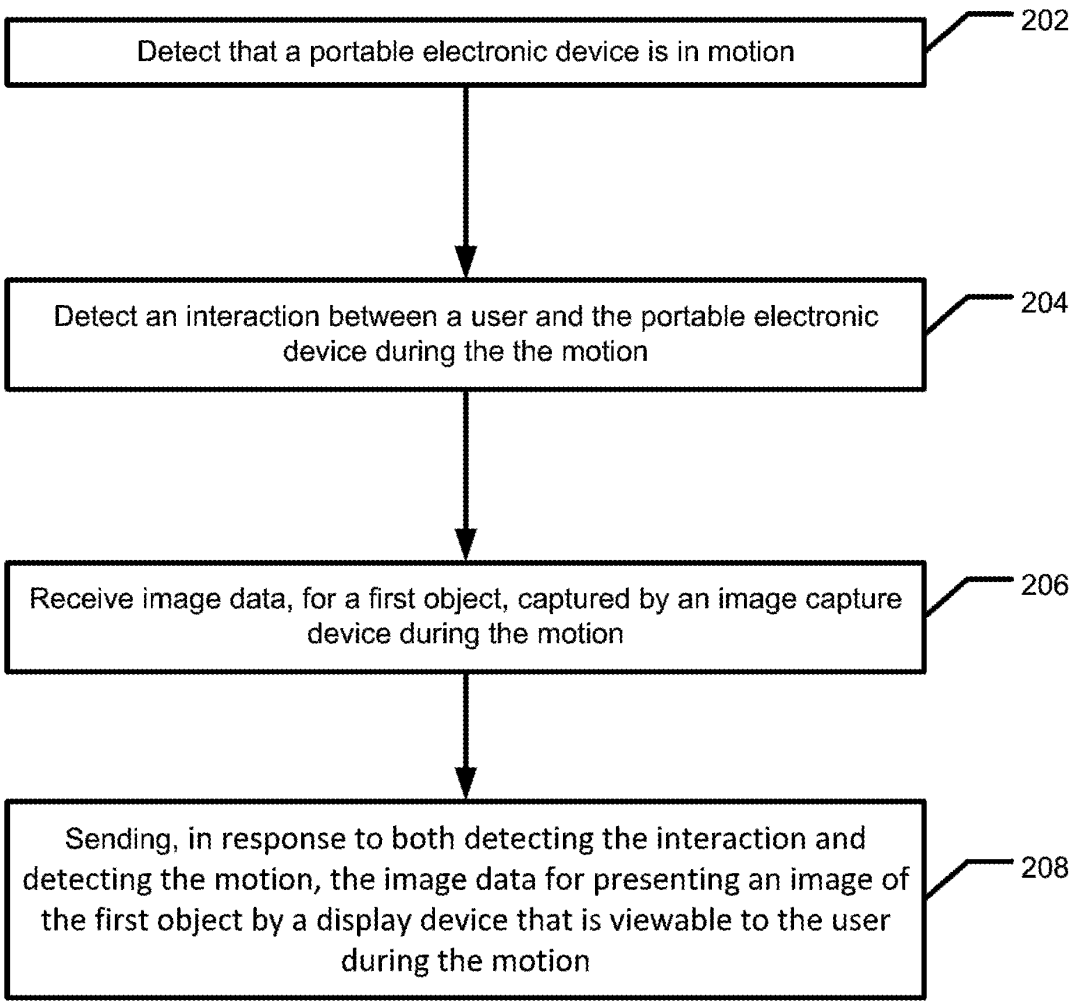

Detect that a portable electronic device is in motion
202
Detect an interaction between a user and the portable electronic device during the the motion
204
Receive image data, for a first object, captured by an image capture device during the motion
206
Sending, in response to both detecting the interaction and detecting the motion, the image data for presenting an image of the first object by a display device that is viewable to the user during the motion
208

Fig. 2

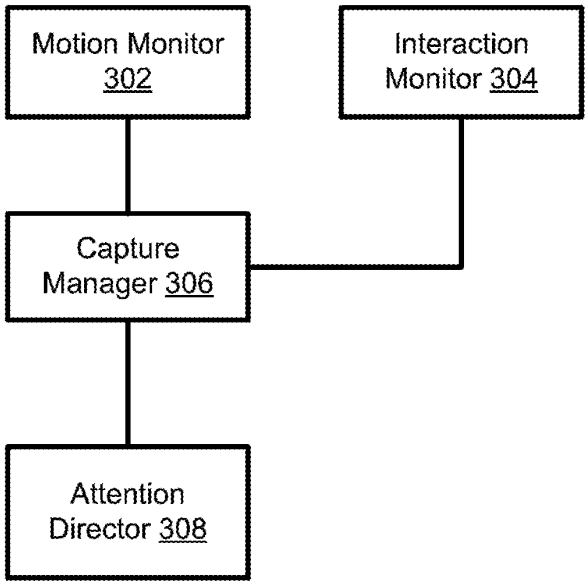

Motion Monitor 302
Interaction Monitor 304
Capture Manager 306
Attention Director 308

Fig. 3

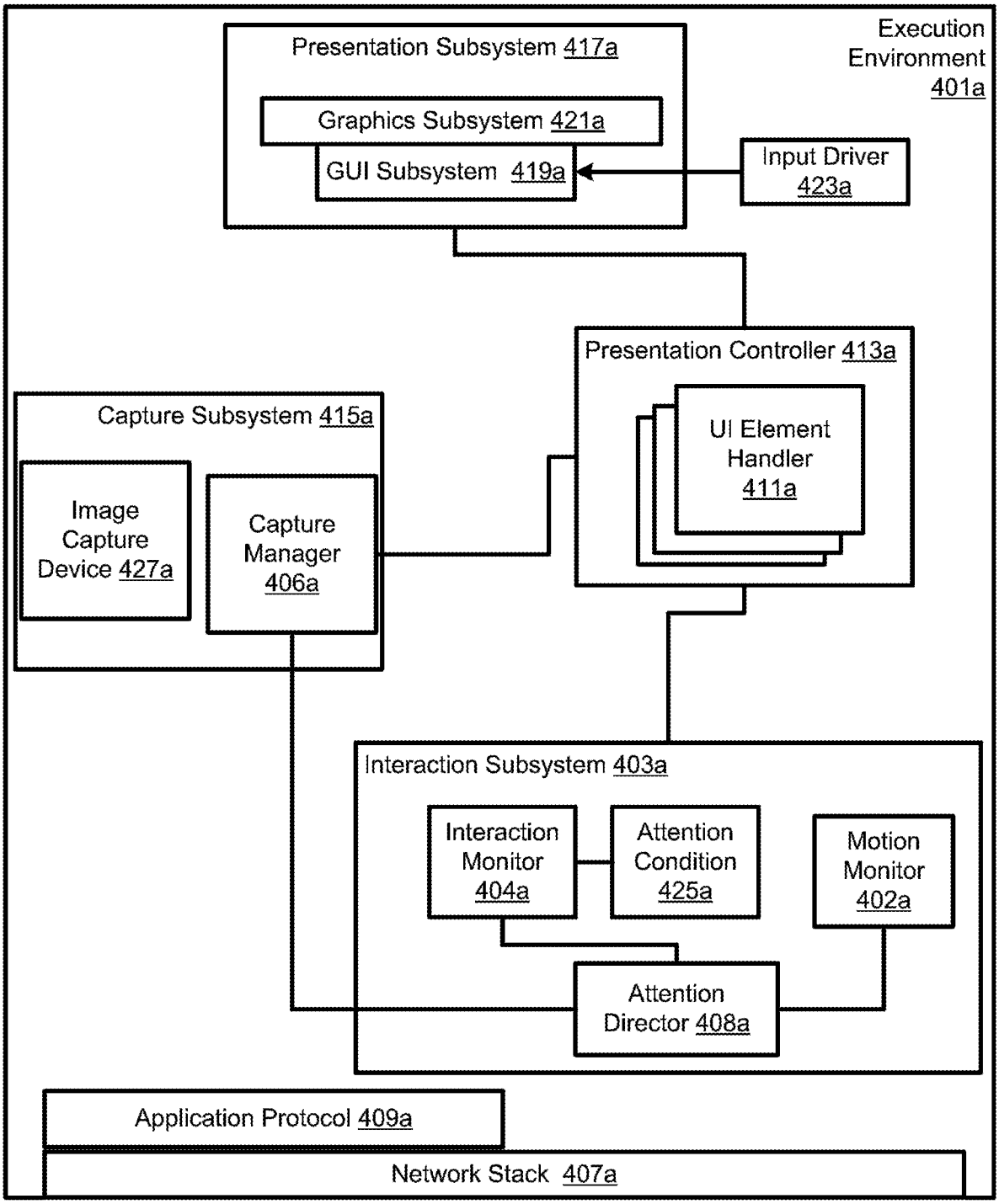

Execution Environment 401a
Presentation Subsystem 417a
Graphics Subsystem 421a
GUI Subsystem 419a
Input Driver 423a
Presentation Controller 413a
UI Element Handler 411a
Capture Subsystem 415a
Image Capture Device 427a
Capture Manager 406a
Interaction Subsystem 403a
Interaction Monitor 404a
Attention Condition 425a
Motion Monitor 402a
Attention Director 408a
Application Protocol 409a
Network Stack 407a

Fig. 4a

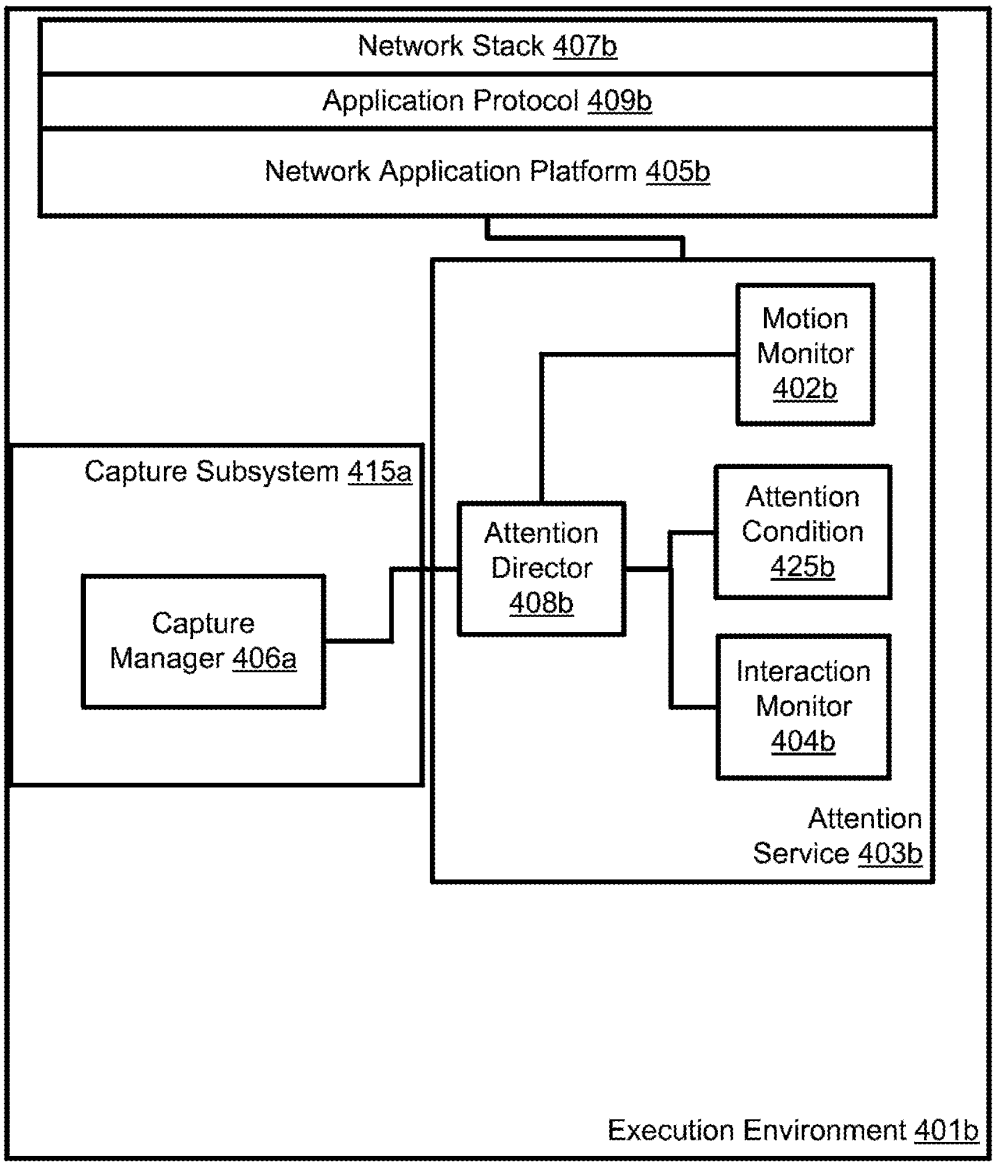

Network Stack 407b
Application Protocol 409b
Network Application Platform 405b
Motion Monitor 402b
Capture Subsystem 415a
Attention Director 408b
Attention Condition 425b
Capture Manager 406a
Interaction Monitor 404b
Attention Service 403b
Execution Environment 401b

Fig. 4b

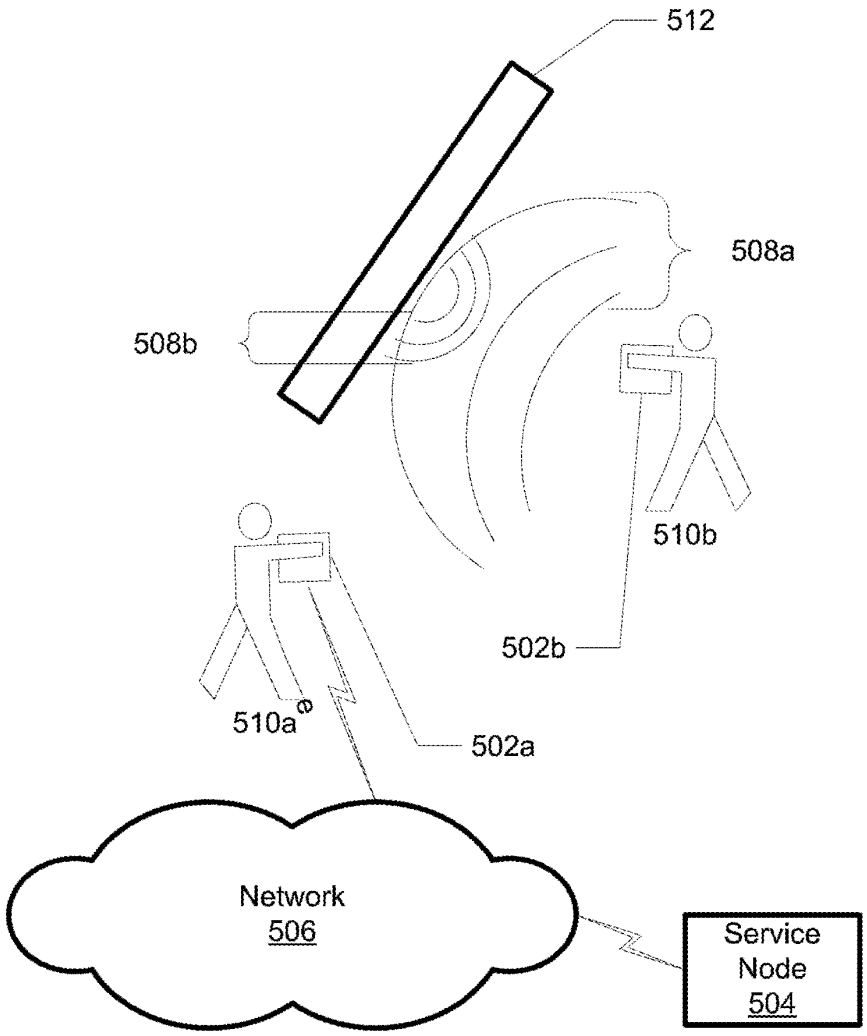

512
508a
508b
510b
502b
510a
502a
Network
506
Service
Node
504

Fig. 5

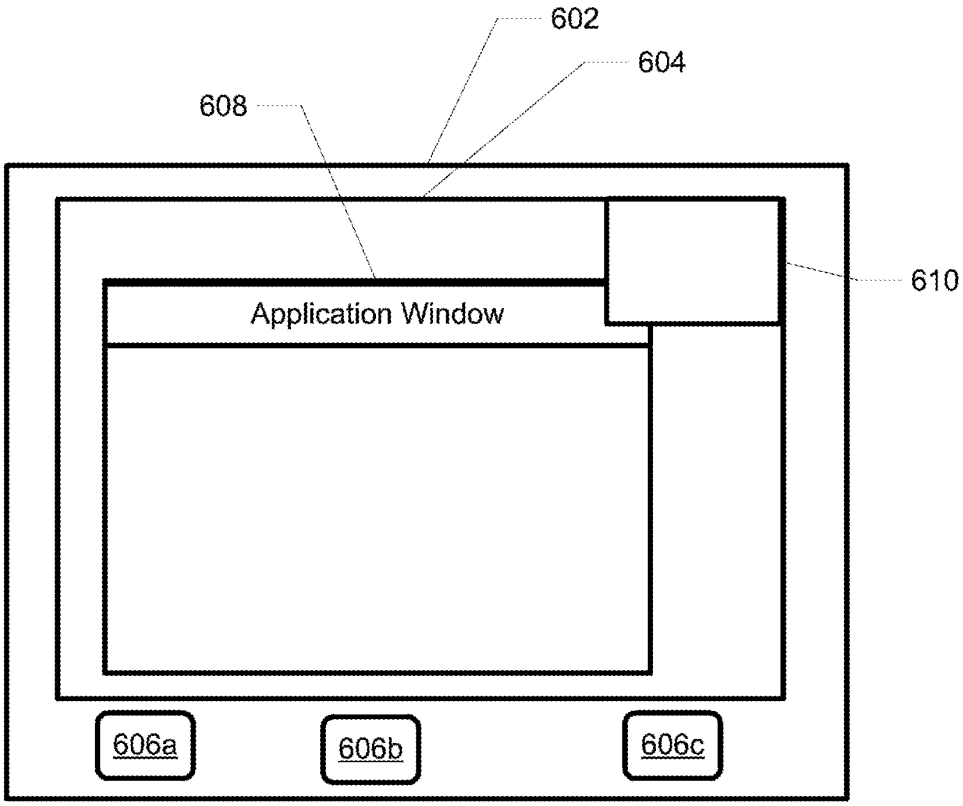


Fig. 6

PTO/SB/01A (01-09)
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☒ The attached application, or

☐ Application No. _____ filed on _____

☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Robert Paul Morris Date: 2011-03-11

Signature: /Robert Paul Morris/ Citizen of: US

Inventor two: _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 — Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Robert	Paul	Morris	

Residence Information (Select One) ● US Residency Non US Residency Active US Military Service

City	Madison	State/Province	GA	Country of Residence	US

Mailing Address of Inventor:

Address 1	751 Markhams Dr		
Address 2			
City	Madison	State/Province	GA
Postal Code	30650	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	92045		
Email Address	pcaldwell@thecaldwellfirm.com	Add Email	Remove Email

Application Information:

Title of the Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION		
Attorney Docket Number	PMOR0091-CIP	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☒ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	● Customer Number	US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	92045		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation in part of	16574026	2019-09-17

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
16574026	Continuation of	15921636	2018-03-14
Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
15921636	Claims benefit of provisional	62642581	2018-03-13
Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
15921636	Continuation in part of	15595906	2017-05-15
Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
15595906	Continuation in part of	14195832	2014-03-03
Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
14195832	Continuation in part of	13045556	2011-03-11
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.			Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			Remove
Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.			Add

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1 Remove

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

● Assignee	Legal Representative under 35 U.S.C. 117	Joint Inventor
Person to whom the inventor is obligated to assign.	Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	SITTING MAN, LLC		
Mailing Address Information For Applicant:			
Address 1	751 Markhams Dr		
Address 2			
City	Madison	**State/Province**	GA
Country	US	Postal Code	30650
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

Assignee 1

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Signature	/Patrick Caldwell/			Date (YYYY-MM-DD)	2020-02-28
First Name	Patrick	Last Name	Caldwell	Registration Number	44580

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	PMOR0091-CIP
	Application Number	
Title of Invention	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION

RELATED APPLICATIONS

[0001] This application is a continuation-in-part of U.S. Patent Application No. 16/574,026, filed September 17, 2019, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," is a continuation of U.S. Patent Application No. 15/921,636, filed March 14, 2018, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which claims the benefit of U.S. Patent Provisional Application No. 62/642,581, filed 03-13-2018, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION". Additionally, U.S. Patent Application No. 15/921,636 is a continuation-in-part of U.S. Patent Application No. 15/595,906, filed May 15, 2017, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which is a continuation-in-part of U.S. Patent Application No. 14/195,832, filed March 3, 2014, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING STEERING-CONTROL FEEDBACK TO AN OPERATOR OF AN AUTOMOTIVE VEHICLE," which is a continuation-in-part of U.S. Patent Application No. 13/045,556, filed on March 11, 2011, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR

PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION".

INCORPORATED APPLICATIONS

[0002] U.S. Patent Application No. 13/045,556, filed on March 11, 2011, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION is incorporated by reference in its entirety for all purposes.

[0003] Still yet, the entire disclosures of the following applications are incorporated by reference herein for all purposes:

[0004] Application Ser. No. 13/023,883 (US 2012-0200406 A1 - Docket No 0075) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Directing Attention of an Occupant of an Automotive Vehicle to a Viewport";

[0005] Application Ser. No. 13/023,916 (US 2012-0200403 A1 - Docket No 0133) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Directing Attention to a Sequence of Viewports of an Automotive Vehicle";

[0006] Application Ser. No. 13/025,939 (US 2012-0209474 A1 - Docket No 0166) filed on 2011 Feb. 11, entitled "Methods, Systems, and Program Products for Providing Steering-Control Feedback to an Operator of an Automotive Vehicle";

[0007] Application Ser. No. 13/025,944 (US 2012-0206268 A1 - Docket No 0168) filed on 2011 Feb. 11, entitled "Methods, Systems, and Program Products for Managing Attention of a User of a Portable Electronic Device";

[0008] Application Ser. No. 13/024,444 (US 2012-0206254 A1 - Docket No 0169) filed on 2011 Feb. 10, entitled "Methods, Systems, and Program Products for Managing Operation of a Portable Electronic Device";

[0009] Application Ser. No. 13/023,932 (US 2012-0200404 A1 - Docket No 0170) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Altering Attention of an Automotive Vehicle Operator";

[0010] Application Ser. No. 13/023,952 (US 2012-0200407 A1 - Docket No 0171) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Managing Attention of an Operator of an Automotive Vehicle"; and

[0011] Application Ser. No. 13/024,466 (US 2012-0206255 A1 - Docket No 0179) filed on 2011 Feb. 10, entitled "Methods, Systems, and Program Products for Managing Operation of an Automotive Vehicle".

SUMMARY

[0012] The following presents a simplified summary of the disclosure in order to provide a basic understanding to the reader. This summary is not an extensive overview of the disclosure and it does not identify key/critical elements of the invention or delineate the scope of the invention. Its sole purpose is to present some concepts disclosed herein in a simplified form as a prelude to the more detailed description that is presented later.

[0013] Methods and systems are described for detecting movement of a portable electronic device; receiving video data, for a first object, captured by a video capture device during the movement; and utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

BRIEF DESCRIPTION OF THE DRAWINGS

[0014] Objects and advantages of the present invention will become apparent to those skilled in the art upon reading this description in conjunction with the accompanying drawings, in which like reference numerals have been used to designate like or analogous elements, and in which:

[0015] Fig. 1 is a block diagram illustrating an exemplary hardware device included in and/or otherwise providing an execution environment in which the subject matter may be implemented;

[0016] Fig. 2 is a flow diagram illustrating a method for providing feedback to a user of a portable electronic device in motion according to an aspect of the subject matter described herein;

[0017] Fig. 3 is a block diagram illustrating an arrangement of components for providing feedback to a user of a portable electronic device in motion according to another aspect of the subject matter described herein;

[0018] Fig. 4a is a block diagram illustrating an arrangement of components for providing feedback to a user of a portable electronic device in motion according to another aspect of the subject matter described herein;

[0019] Fig. 4b is a block diagram illustrating an arrangement of components for providing feedback to a user of a portable electronic device in motion according to another aspect of the subject matter described herein;

[0020] Fig. 5 is a illustrating a portable electronic device, in motion, operating for providing feedback to a user of a portable electronic device in motion according to another aspect of the subject matter described herein;

[0021] Fig. 6 is a diagram illustrating a user interface presented to a user of a portable electronic device in another aspect of the subject matter described herein.

DETAILED DESCRIPTION

[0022] One or more aspects of the disclosure are described with reference to the drawings, wherein like reference numerals are generally utilized to refer to like elements throughout, and wherein the various structures are not necessarily drawn to scale. In the following description, for purposes of explanation, numerous specific details are set forth in order to provide a thorough understanding of one or more aspects of the disclosure. It may be evident, however, to one skilled in the art, that one or more aspects of the disclosure may be practiced with a lesser degree of these specific details. In other instances, well-known structures and devices are shown in block diagram form in order to facilitate describing one or more aspects of the disclosure.

[0023] An exemplary device included in an execution environment that may be configured according to the subject matter is illustrated in Fig. 1. An execution environment includes an arrangement of hardware and, in some aspects, software that may be further configured to include an arrangement of components for performing a method of the subject matter described herein. An execution environment includes and/or is otherwise provided by one or more devices. An execution environment may include a virtual execution environment including software components operating in a host execution environment. Exemplary devices included in and/or otherwise providing suitable execution environments for configuring according to the subject matter include personal computers, notebook computers, tablet computers, servers, portable electronic

devices, handheld electronic devices, mobile devices, multiprocessor devices, distributed systems, consumer electronic devices, communication servers, and/or any other suitable devices. Those skilled in the art will understand that the components illustrated in Fig. 1 are exemplary and may vary by particular execution environment.

[0024] Fig. 1 illustrates hardware device **100** included in execution environment **102**. Fig. 1 illustrates that execution environment **102** includes instruction-processing unit (IPU) **104**, such as one or more microprocessors; physical IPU memory **106** including storage locations identified by addresses in a physical memory address space of IPU **104**; persistent secondary storage **108**, such as one or more hard drives and/or flash storage media; input device adapter **110**, such as a key or keypad hardware, a keyboard adapter, and/or a mouse adapter; output device adapter **112**, such as a display and/or an audio adapter for presenting information to a user; a network interface component, illustrated by network interface adapter **114**, for communicating via a network such as a LAN and/or WAN; and a communication mechanism that couples elements **104-114**, illustrated as bus **116**. Elements **104-114** may be operatively coupled by various means. Bus **116** may comprise any type of bus architecture, including a memory bus, a peripheral bus, a local bus, and/or a switching fabric.

[0025] IPU **104** is an instruction execution machine, apparatus, or device. Exemplary IPUs include one or more microprocessors, digital signal processors (DSPs), graphics processing units, application-specific integrated circuits (ASICs), and/or field programmable gate arrays (FPGAs). In the description of the subject matter herein, the terms “IPU” and “processor” are used interchangeably. IPU **104** may access machine code instructions and data via one or more memory address spaces in addition to the

physical memory address space. A memory address space includes addresses identifying locations in a processor memory. The addresses in a memory address space are included in defining a processor memory. IPU **104** may have more than one processor memory. Thus, IPU **104** may have more than one memory address space. IPU **104** may access a location in a processor memory by processing an address identifying the location. The processed address may be identified by an operand of a machine code instruction and/or may be identified by a register or other portion of IPU **104**.

[0026] Fig. 1 illustrates virtual IPU memory **118** spanning at least part of physical IPU memory **106** and may span at least part of persistent secondary storage **108**. Virtual memory addresses in a memory address space may be mapped to physical memory addresses identifying locations in physical IPU memory **106** and/or in persistent secondary storage **108**. An address space for identifying locations in a virtual processor memory is referred to as a virtual memory address space; its addresses are referred to as virtual memory addresses; and its IPU memory is referred to as a virtual IPU memory or virtual memory. The terms "IPU memory" and "processor memory" are used interchangeably herein. Processor memory may refer to physical processor memory, such as IPU memory **106**, and/or may refer to virtual processor memory, such as virtual IPU memory **118**, depending on the context in which the term is used.

[0027] Physical IPU memory **106** may include various types of memory technologies. Exemplary memory technologies include static random access memory (SRAM) and/or dynamic RAM (DRAM) including variants such as dual data rate synchronous DRAM (DDR SDRAM), error correcting code synchronous DRAM (ECC SDRAM), RAMBUS

DRAM (RDRAM), and/or XDR™ DRAM. Physical IPU memory **106** may include volatile memory as illustrated in the previous sentence and/or may include nonvolatile memory such as nonvolatile flash RAM (NVRAM) and/or ROM.

[0028] Persistent secondary storage **108** may include one or more flash memory storage devices, one or more hard disk drives, one or more magnetic disk drives, and/or one or more optical disk drives. Persistent secondary storage may include a removable medium. The drives and their associated computer-readable storage media provide volatile and/or nonvolatile storage for computer-readable instructions, data structures, program components, and other data for execution environment **102**.

[0029] Execution environment **102** may include software components stored in persistent secondary storage **108**, in remote storage accessible via a network, and/or in a processor memory. Fig. 1 illustrates execution environment **102** including operating system **120**, one or more applications **122**, and other program code and/or data components illustrated by other libraries and subsystems **124**. In an aspect, some or all software components may be stored in locations accessible to IPU **104** in a shared memory address space shared by the software components. The software components accessed via the shared memory address space are stored in a shared processor memory defined by the shared memory address space. In another aspect, a first software component may be stored in one or more locations accessed by IPU **104** in a first address space and a second software component may be stored in one or more locations accessed by IPU **104** in a second address space. The first software component is stored in a first processor memory defined by the first address space and

the second software component is stored in a second processor memory defined by the second address space.

[0030] Software components typically include instructions executed by IPU **104** in a computing context referred to as a "process". A process may include one or more "threads". A "thread" includes a sequence of instructions executed by IPU **104** in a computing sub-context of a process. The terms "thread" and "process" may be used interchangeably herein when a process includes only one thread.

[0031] Execution environment **102** may receive user-provided information via one or more input devices illustrated by input device **128**. Input device **128** provides input information to other components in execution environment **102** via input device adapter **110**. Execution environment **102** may include an input device adapter for a keyboard, a touch screen, a microphone, a joystick, a television receiver, a video camera, a still camera, a document scanner, a fax, a phone, a modem, a network interface adapter, and/or a pointing device, to name a few exemplary input devices.

[0032] Input device **128** included in execution environment **102** may be included in device **100** as Fig. 1 illustrates or may be external (not shown) to device **100**. Execution environment **102** may include one or more internal and/or external input devices. External input devices may be connected to device **100** via corresponding communication interfaces such as a serial port, a parallel port, and/or a universal serial bus (USB) port. Input device adapter **110** receives input and provides a representation to bus **116** to be received by IPU **104**, physical IPU memory **106**, and/or other components included in execution environment **102**.

[0033] Output device **130** in Fig. 1 exemplifies one or more output devices that may be included in and/or that may be external to and operatively coupled to device **100**. For example, output device **130** is illustrated connected to bus **116** via output device adapter **112**. Output device **130** may be a display device. Exemplary display devices include liquid crystal displays (LCDs), light emitting diode (LED) displays, and projectors. Output device **130** presents output of execution environment **102** to one or more users. In some embodiments, an input device may also include an output device. Examples include a phone, a joystick, and/or a touch screen. In addition to various types of display devices, exemplary output devices include printers, speakers, tactile output devices such as motion-producing devices, and other output devices producing sensory information detectable by a user. Sensory information detected by a user is referred herein to as "sensory input" with respect to the user.

[0034] A device included in and/or otherwise providing an execution environment may operate in a networked environment communicating with one or more devices via one or more network interface components. The terms "communication interface component" and "network interface component" (NIC) are used interchangeably herein. Fig. 1 illustrates network interface adapter (NIA) **114** as a network interface component included in execution environment **102** to operatively couple device **100** to a network. A network interface component includes a network interface hardware (NIH) component and optionally a software component.

[0035] Exemplary network interface components include network interface controller components, network interface cards, network interface adapters, and line cards. A node may include one or more network interface components to interoperate with a

wired network and/or a wireless network. Exemplary wireless networks include a BLUETOOTH network, a wireless **802**.11 network, and/or a wireless telephony network (e.g., a cellular, PCS, CDMA, and/or GSM network). Exemplary network interface components for wired networks include Ethernet adapters, Token-ring adapters, FDDI adapters, asynchronous transfer mode (ATM) adapters, and modems of various types. Exemplary wired and/or wireless networks include various types of LANs, WANs, and/or personal area networks (PANs). Exemplary networks also include intranets and internets such as the Internet.

[0036] The terms "network node" and "node" in this document both refer to a device having a network interface component for operatively coupling the device to a network. Further, the terms "device" and "node" used herein refer to one or more devices and nodes, respectively, providing and/or otherwise included in an execution environment unless clearly indicated otherwise.

[0037] The user-detectable outputs of a user interface are generically referred to herein as "user interface elements". More specifically, visual outputs of a user interface are referred to herein as "visual interface elements". A visual interface element may be a visual output of a graphical user interface (GUI). Exemplary visual interface elements include windows, textboxes, sliders, list boxes, drop-down lists, spinners, various types of menus, toolbars, ribbons, combo boxes, tree views, grid views, navigation tabs, scrollbars, labels, tooltips, text in various fonts, balloons, dialog boxes, and various types of button controls including check boxes and radio buttons. An application interface may include one or more of the elements listed. Those skilled in the art will understand that this list is not exhaustive. The terms "visual representation", "visual

output", and "visual interface element" are used interchangeably in this document. Other types of user interface elements include audio outputs referred to as "audio interface elements", tactile outputs referred to as "tactile interface elements", and the like.

[0038] A visual output may be presented in a two-dimensional presentation where a location may be defined in a two-dimensional space having a vertical dimension and a horizontal dimension. A location in a horizontal dimension may be referenced according to an X-axis and a location in a vertical dimension may be referenced according to a Y-axis. In another aspect, a visual output may be presented in a three-dimensional presentation where a location may be defined in a three-dimensional space having a depth dimension in addition to a vertical dimension and a horizontal dimension. A location in a depth dimension may be identified according to a Z-axis. A visual output in a two-dimensional presentation may be presented as if a depth dimension existed allowing the visual output to overlie and/or underlie some or all of another visual output.

[0039] An order of visual outputs in a depth dimension is herein referred to as a "Z-order". The term "Z-value" as used herein refers to a location in a Z-order. A Z-order specifies the front-to-back and/or back-to-front ordering of visual outputs in a presentation space with respect to a Z-axis. In one aspect, a visual output with a higher Z-value than another visual output may be defined to be on top of or closer to the front than the other visual output.

[0040] A "user interface (UI) element handler" component, as the term is used in this document, includes a component configured to send information representing a program entity for presenting a user-detectable representation of the program entity by an output device, such as a display. A "program entity" is an object included in and/or

otherwise processed by an application or executable. The user-detectable representation is presented based on the sent information. Information that represents a program entity for presenting a user detectable representation of the program entity by an output device is referred to herein as “presentation information”. Presentation information may include and/or may otherwise identify data in one or more formats. Exemplary formats include image formats such as JPEG, video formats such as MP4, markup language data such as hypertext markup language (HTML) and other XML-based markup, a bit map, and/or instructions such as those defined by various script languages, byte code, and/or machine code. For example, a web page received by a browser from a remote application provider may include HTML, ECMAScript, and/or byte code for presenting one or more user interface elements included in a user interface of the remote application. Components configured to send information representing one or more program entities for presenting particular types of output by particular types of output devices include visual interface element handler components, audio interface element handler components, tactile interface element handler components, and the like.

[0041] A representation of a program entity may be stored and/or otherwise maintained in a presentation space. As used in this document, the term “presentation space” refers to a storage region allocated and/or otherwise provided for storing presentation information, which may include audio, visual, tactile, and/or other sensory data for presentation by and/or on an output device. For example, a buffer for storing an image and/or text string may be a presentation space as sensory information for a user. A presentation space may be physically and/or logically contiguous or non-contiguous.

A presentation space may have a virtual as well as a physical representation. A presentation space may include a storage location in a processor memory, secondary storage, a memory of an output adapter device, and/or a storage medium of an output device. A screen of a display, for example, is a presentation space.

[0042] As used herein, the terms "program" and "executable" refer to data representations that may be translated into a set of machine code instructions and optionally into associated program data. Thus, a program or executable may include an application, a shared or non-shared library, and/or a system command. Program representations other than machine code include object code, byte code, and source code. Object code includes a set of instructions and/or data elements that either are prepared for linking prior to loading or are loaded into an execution environment. When in an execution environment, object code may include references resolved by a linker and/or may include one or more unresolved references. The context in which this term is used will make clear the state of the object code when it is relevant. This definition can include machine code and virtual machine code, such as Java™ byte code.

[0043] As used herein, an “addressable entity” is a portion of a program, specifiable in programming language in source code. An addressable entity is addressable in a program component translated for a compatible execution environment from the source code. Examples of addressable entities include variables, constants, functions, subroutines, procedures, modules, methods, classes, objects, code blocks, and labeled instructions. A code block includes one or more instructions in a given scope specified in a programming language. An addressable entity may include a value. In some places

in this document "addressable entity" refers to a value of an addressable entity. In these cases, the context will clearly indicate that the value is being referenced.

[0044] Addressable entities may be written in and/or translated to a number of different programming languages and/or representation languages, respectively. An addressable entity may be specified in and/or translated into source code, object code, machine code, byte code, and/or any intermediate languages for processing by an interpreter, compiler, linker, loader, and/or other analogous tool.

[0045] The block diagram in Fig. 3 illustrates an exemplary system for providing feedback to a user of a portable electronic device in motion according to the method illustrated in Fig. 2. Fig. 3 illustrates a system, adapted for operation in an execution environment, such as execution environment **102** in Fig. 1, for performing the method illustrated in Fig. 2. The system illustrated includes a motion monitor component **302**, an interaction monitor component **304**, a capture manager component **306**, and an attention director component **308**. The execution environment includes an instruction-processing unit, such as IPU **104**, for processing an instruction in at least one of the motion monitor component **302**, the interaction monitor component **304**, the capture manager component **306**, and the attention director component **308**. Some or all of the exemplary components illustrated in Fig. 3 may be adapted for performing the method illustrated in Fig. 2 in a number of execution environments. Fig. 4a and Fig. 4b are each block diagrams illustrating the components of Fig. 3 and/or analogs of the components of Fig. 3 respectively adapted for operation in execution environment **401a** and in execution environment **401b** that include and/or that otherwise are provided by one or more nodes. Components, illustrated in Fig. 4a and Fig 4b, are identified by numbers

with an alphabetic character postfix. Execution environments; such as execution environment **401a**, execution environment **401b**, and their adaptations and analogs; are referred to herein generically as execution environment **401** or execution environments **401** when describing more than one. Other components identified with a postfix including an alphabetic character may be referred to generically or as a group in a similar manner.

[0046] Fig. 1 illustrates key components of an exemplary device that may at least partially provide and/or otherwise be included in an execution environment. The components illustrated in Fig. 4a and Fig. 4b may be included in or otherwise combined with the components of Fig. 1 to create a variety of arrangements of components according to the subject matter described herein.

[0047] Figs. 4a illustrates execution environment **401a** including an adaptation of the arrangement of components in Fig. 3. Some or all of the components in the arrangement may be installed persistently in execution environment **401a** or may be retrieved as needed via a network. In an aspect, some or all of the arrangement of components may be received from attention service **403b** operating in execution environment **401b** illustrated in Fig. 4b. Various adaptations of the arrangement in Fig. 3 may operate at least partially in execution environment **401a** and at least partially in execution environment **401b**. Fig. 4b illustrates execution environment **401b** configured to host a remote application provider illustrated by attention service **403b**. Attention service **403b** includes another adaptation or analog of the arrangement of components in Fig. 3.

[0048] As stated the various adaptations of the arrangement in Fig. 3 are not exhaustive. For example, those skilled in the art will see, based on the description herein, that arrangements of components for performing the method illustrated in Fig. 2 may operate in a single device, or may be distributed across more than one node in a network and/or more than one execution environment.

[0049] Fig. 5 illustrates portable electronic devices (PED) **502**. Exemplary portable electronic devices include notebook computers, netbook computers, tablet computers, mobile phones, smart phones, media players, media capture devices, and game players, to name a few examples. Execution environment **401a** in Fig. 4a may be adapted to include and/or otherwise be provided by a PED **502** in Fig. 5. A PED **502** may communicate with one or more application providers, such as network application platform **405b** operating in execution environment **401b**. Execution environment **401b** may include and/or otherwise be provided by service node **504** in Fig. 5. A PED **502** and service node **504** may respectively include network interface components operatively coupling the respective nodes to network **506**.

[0050] Figs. 4a-b illustrate network stacks **407** configured for sending and receiving data over network **506**, such as the Internet. Network application platform **405b** in Fig. 4b may provide one or more services to attention service **403b**. For example, network application platform **405b** may include and/or otherwise provide web server functionally on behalf of attention service **403b**. Fig. 4b also illustrates network application platform **405b** configured for interoperating with network stack **407b** providing network services for attention service **403b**. Network stack **407a** Fig. 4a serves a role analogous to network stack **407b**.

[0051] Network stack **407a** and network stack **407b** may support the same protocol suite, such as TCP/IP, or may communicate via a network gateway (not shown) or other protocol translation device (not shown) and/or service. For example, a PED **502** and service node **504** in Fig. 5 may interoperate via their respective network stacks: network stack **407a** in Fig. 4a and network stack **407b** in Fig. 4b.

[0052] Fig. 4a illustrates an interaction subsystem **403a**; and Fig. 4b illustrates attention service **403b**, respectively, which may communicate via one or more application protocols. Figs. 4a-b illustrates application protocol components **409** configured to communicate via one or more application protocols. Exemplary application protocols include a hypertext transfer protocol (HTTP), a remote procedure call (RPC) protocol, an instant messaging protocol, and a presence protocol. Application protocol components **409** in Figs. 4a-b may support compatible application protocols. Matching protocols enable an interaction subsystem **403a** supported by a PED **502** to communicate with attention service **403b** of service node **504** via network **506** in Fig. 5. Matching protocols are not required if communication is via a protocol gateway or other protocol translator.

[0053] In Fig. 4a, interaction subsystem **403a** may receive some or all of the arrangement of components, in Fig. 4a, in one or more messages received via network **506** from another node. The one or more message may be sent by attention service **403b** via network application platform **405b**, network stack **407b**, a network interface component, and/or application protocol component **409b** in execution environment **401b**. Interaction subsystem **403a** may interoperate via one or more application protocols supported by application protocol component **409a** and/or via a protocol

supported by network stack **407a** to receive the message or messages including some or all of the components and/or their analogs adapted for operation in execution environment **401a**.

[0054] UI element handler components **411a** are illustrated in presentation controller component **413a** in Fig. 4a. UI element handler components **411** and presentation controller components **413** are not shown in Fig. 4b, but those skilled in the art will understand upon reading the description herein that adaptations and/or analogs of some or all of these components configured to perform analogous operations may be adapted for operating in execution environment **401b**. A presentation controller component **413** may manage the visual, audio, and/or other types of output of an application or executable. Fig. 4a illustrates presentation controller component **413a** including one or more UI element handler components **411a** for managing one or more types of output for interaction subsystem **403a** and for capture subsystem **415a**. A presentation controller component and/or a UI element handler component may be configured to receive and route detected user and other inputs to components and extensions of its including and/or otherwise controlling application or executable.

[0055] A UI element handler component **411** in various aspects may be adapted to operate at least partially in a content handler component (not shown) such as a text/html content handler component and/or a script content handler component. One or more content handlers may operate in an application such as a web browser. Additionally or alternatively, a UI element handler component **411** in an execution environment **401** may operate in and/or as an extension of its including application or executable**.** For example, a plug-in may provide a virtual machine, for a UI element

handler component received as a script and/or byte code. The extension may operate in a thread and/or process of an application and/or may operate external to and interoperating with an application.

[0056] Fig. 4a illustrates interaction subsystem **403a** operatively coupled to presentation controller component **413a** and one or more UI element handlers **411a** included in presentation controller component **413a**. Various UI elements of interaction subsystem **403a** may be presented by one or more UI element handler components **411a**. Applications and/or other types of executable components that may operate in execution environment **401a** may also include UI element handler components and/or otherwise interoperate with UI element handler components for presenting user interface elements via one or more output devices.

[0057] An execution environment may include a presentation subsystem for presenting one or more types of UI elements. Fig. 4a illustrates presentation subsystem **417a** including components for presenting visual outputs. Other types of output may be presented in addition to or instead of visual output, in some aspects. Presentation subsystem **417a** in Fig. 4a includes GUI subsystem **419a**. GUI subsystem **419a** may present UI elements by instructing corresponding graphics subsystem **421a** to draw a UI interface element in a region of a presentation space, based on presentation information received from a corresponding UI element handler component **411a**. Graphics subsystem **421a** and a GUI subsystem **419a** may be included in presentation subsystem **417a**, as illustrated, which may include one or more output devices and/or may otherwise be operatively coupled to one or more output devices.

[0058] Input may be received and/or otherwise detected via one or more input drivers illustrated by input driver **423a** in Fig. 4a. An input may correspond to a UI element presented via an output device. For example, a user may manipulate a pointing device, such as touch screen, for a pointer presented in a display presentation space over a user interface element, representing a selectable operation. A user may provide an input detected by input driver **423a**. The detected input may be received by a GUI subsystem **419a** via the input driver **423a** as an operation or command indicator based on the association of the shared location of the pointer and the operation user interface element. In an aspect, input driver **423a** may receive information for a detected input and may provide information based on the input without presentation subsystem **417a** operating as an intermediary. One or more components in interaction subsystem **403a** may receive information in response to an input detected by input driver **423a**.

[0059] An "interaction", as the term is used herein, refers to any activity including a user and an object where the object is a source of sensory data detected by the user. In an interaction the user directs attention to the object. An interaction may also include the object as a target of input from the user. The input from the user may be provided intentionally or unintentionally. For example, a rock being held in the hand of a user is a target of input, both tactile and energy input, from the user. A portable electronic device is a type of object. In another example, a user looking at a portable electronic device is receiving sensory data from the portable electronic device whether the device is presenting an output via an output device or not. The user manipulating an input component of the portable electronic device illustrates a device, as an input target, receiving input from the user. Note that the user in providing input is detecting sensory

information from the portable electronic device provided that the user directs sufficient attention to be aware of the sensory information and provided that no disabilities prevent the user from processing the sensory information. An interaction may include an input from the user that is detected and/or otherwise sensed by the device. An interaction may include sensory information, that is detected by a user included in the interaction, that is presented by an output device included in the interaction.

[0060] As used herein "interaction information" refers to any information that identifies an interaction and/or otherwise provides data about an interaction between a user and an object, such as a portable electronic device. Exemplary interaction information may identify a user input for the object, a user-detectable output presented by an output device of the object, a user-detectable attribute of the object, an operation performed by the object in response to a user, an operation performed by the object to present and/or otherwise produce a user-detectable output, and/or a measure of interaction. The term "operational component" of a device, as used herein, refers to a component included in performing an operation by the device.

[0061] Interaction information for one object may include and/or otherwise identify interaction information for another object. For example, a motion monitor may detect user's head turn in the direction of a display of a portable electronic device. Interaction information identifying the user's head is facing the display may be received and/or used as interaction information for the portable electronic device indicating the user is receiving visual input from the display. The interaction information may serve to indicate a lack of user interaction with one or more other objects in directions from the user different than the detected direction, such as a person approaching the user from

behind the user. Thus the interaction information may serve as interaction information for one or more different objects.

[0062] The term "attention information" as used herein refers to information that identifies an attention output and/or that includes an indication to present an attention output. Attention information may identify and/or may include presentation information that includes a representation of an attention output, in one aspect. In another aspect, attention information may include a request and/or one or more instructions for processing by an IPU to present an attention output. The aspects described serve merely as examples based on the definition of attention information, and do not provide an exhaustive list of suitable forms and content of attention information.

[0063] As used herein the term "attention criterion" refers to a criterion that when met is defined as indicating that interaction between a user and an object is inadequate at a particular time and/or during a particular time period. In other words, the user is not directing adequate attention to the object.

[0064] With reference to Fig. 2, block **202** illustrates that the method includes detecting that a portable electronic device is in motion. Accordingly, a system for providing feedback to a user of a portable electronic device in motion includes means for detecting that a portable electronic device is in motion. For example, as illustrated in Fig. 3, motion monitor component **302** is configured for detecting that a portable electronic device is in motion. Figs. 4a-b illustrate motion monitor components **402** as adaptations and/or analogs of motion monitor component **302** in Fig. 3. One or more motion monitor components **402** operate in an execution environment **401**.

[0065] In Fig. 4a, motion monitor component **402a** is illustrated as a component of interaction subsystem **403a**. In Fig. 4b, motion monitor component **402b** is illustrated as a component of attention service **403b**. In various aspects, adaptations and analogs of motion monitor component **302** in Fig. 3 may detect a PED **502** in motion. The motion detected may be relative to another object. A motion monitor component **402** may detect a PED **502** in motion by detecting motion of the PED **502** and/or by detecting motion of the object. The object may be another PED **502**.

[0066] At least one PED **502** in Fig. 5 may include and/or otherwise provide an adaptation and/or analog of execution environment **401a** including a motion monitor component **402a**. Service node **504** may additionally or alternatively be included in and/or otherwise provide execution environment **401b** including motion monitor component **402b**. A motion monitor component **402** may detect a PED **502,** in which it operates, in motion. Alternatively or additionally, a motion monitor component **402** may be adapted to detect that a PED **502** at a distance is in motion and/or that another type of object is in motion relative to a PED **502**. All motion by definition is relative to some other object, such as motion relative to a star, Earth, a room, a piece of furniture, or another electronic device.

[0067] In various aspects, a motion monitor component **402** may include and/or may otherwise be configured to receive motion information from a motion sensing device that is configured to input for detecting motion of a PED **502**. In one aspect, detecting that a portable electronic device is in motion may include receiving information from an accelerometer. In Fig. 5, first PED **502a** may include an accelerometer. A motion monitor component **402a** may operate in first PED **502a** configured to receive motion

information from the accelerometer. The motion monitor component **402a** may determine and/or otherwise detect that first PED **502a** is in motion relative to the planet and/or other object exerting a gravitational force. In another aspect, first PED **502a** may send motion information received from an accelerometer to another electronic device, such as second PED **502b** hosting a motion monitor component **402a** illustrated in Fig. 4a, and/or to a service provider node illustrated by service node **504** hosting motion monitor component **402b** illustrated in Fig. 4b.

[0068] In an aspect, detecting that a portable electronic device is in motion may include detecting an electromagnetic signal from another object. The portable electronic device may be detected to be in relative motion with respect to the other object in response to and/or otherwise based on detecting the electromagnetic signal. Exemplary electromagnetic signals include a radio signal, a microwave signal, an infrared signal, a visible light signal, an ultraviolet light signal, an X-ray signal, and a gamma-ray signal.

[0069] Motion monitor component **402a**, in Fig. 4a, operating in first PED **502a**, in Fig. 5, may detect a signal illustrated by first signal **508a** which may be a radio signal and/or a sound output by second PED **502b**. First PED **502a** is illustrated being carried and/or otherwise transported by first user **510a**, and second PED **502b** is illustrated carried by and/or otherwise transported by second user **510b**. Motion monitor component **402a** in first PED **502a** may detect additional signals **508a** from second PED **502b**. Motion monitor component **402a** in first PED **502a** may determine lengths of time between detecting the various signals. Motion monitor component **402a** may compare the time lengths to detect whether a distance between first PED **502a** and second PED **502b** has changed indicating the two PEDs **502** are in motion with respect to each other.

[0070] Still further, motion monitor component **402a** may determine a relative path of movement between first PED **502a** and second PED **502b** based on identifying directions from which the respective signals are received along with determining respective distances between the two PEDs **502**. Based on a determined relative path of movement, motion monitor component **402a** may be configured to determine whether first user **510a** and second user **510b** and/or their respective transported PEDs **502** will collide, to determine a probability of a collision, and/or to estimate a shortest distance that may occur between first user **510a** and second user **510b,** illustrated in Fig. 5, and/or between first PED **502a** and second PED **502b** carried and/or attached to the respective users **510**.

[0071] Detecting that a portable electronic device is in motion relative to another object may include transmitting an electromagnetic signal. A reflected signal reflected by an object in a path of the transmitted signal may be received in response to the transmitted signal. As described above a change in distance and/or a relative path of movement between the portable electronic device and the object may be determined to detect whether the portable electronic device and the object are in motion with respect to one another.

[0072] In Fig. 5, motion monitor component **402a** operating in second PED **502b** may transmit first signal **508a** such as a light signal. Motion monitor component **402a** in second PED **502b** may detect a reflection of the transmitted light, illustrated by reflected signal **508b** in Fig. 5, via a light sensor in second PED **502b**, Fig. 5 illustrates reflected signal **508b** reflected by wall **512**. Motion monitor component **402a** in second PED **502b** may determine a length of time between transmitting the first signal **508a** and receiving

the second signal **508b**. Motion monitor component **402a** in second PED **502b** may determine a distance between second user **510b** and/or second PED **502b** and wall **512**. Second PED **502b** may transmit additional light signals and detect corresponding reflected signals to detect changes in distance between second PED **502b** and wall **512**, and/or to detect a path of motion of second PED **502b** relative to wall **512**. In another aspect, based on the strength of reflected signal **508b**, motion monitor component **402a** in second PED **502b** may determine a size of wall **512** and or a material included in wall **512**. Alternatively or additionally, based on receiving one or more other reflected signals in response to respective transmitted signals, motion monitor **402a** in second PED **502b** may detect a relative speed of motion; an acceleration; and/or changes in speed, acceleration, and/or distance. One or more of these and/or other such measures may be included in detecting relative motion between wall **512** and second PED **502b** and/or between wall **512** and second user **510b** by motion monitor component **402a** in second PED **502b**. Motion monitor component **402a** in second PED **502b** may be configured to determine a whether wall **512** and second user **510b** will collide, determine a probability of a collision, and/or estimate a shortest distance that may occur between wall **512** and second user **510b** and/or second PED **502b**. The terms input device, sensor, and sensing device are used interchangeably herein.

[0073] In still another aspect, information based on transmitted and/or received electromagnetic signals by one or more PEDs **502** may be transmitted to motion monitor component **402b** operating in service node **504** illustrated in Fig. 5. The information may be received by motion monitor component **402b** via network **506** via a

network interface component as described above. Motion monitor component **402b** may detect whether one or both PEDs **502** are in motion relative to each other and/or relative another object as described above.

[0074] Also as described above, detecting that a portable electronic device is in motion relative to another object may include detecting a second electromagnetic signal from another object. A difference between a first attribute of the first electromagnetic signal and a second attribute of the second electromagnetic signal may be determined and/or otherwise identified. Relative motion may be detected based on the difference.

[0075] Detecting that a portable electronic device is in motion relative to another object may include detecting the portable electronic device and the object coming into contact. Analogously, detecting that a portable electronic device is in motion relative to another object may include detecting the end of physical contact between the portable electronic device and the object. In Fig. 5, first PED **502a** may include one or more pressure sensitive sensors on one or more respective regions of outside surfaces of first PED **502a**. A pressure sensitive area of a surface may be configured for detecting a change in pressure from a cause other than or in addition to a user input. For example, when first PED **502a** is lifted from a table top by a user's hand a pressure sensitive sensor may be configured to detect a change in pressure caused by the weight of first PED **502a** on the table, to detect pressure of the user's hand which can be detected by a change in pressure detected by the sensor in contact with the table, and/or by changes in pressure detected by sensors configured to detect pressure at other locations on the surface of first PED **502a**. A motion monitor component **402** may be configured to associated a pattern of detected pressure changes with an activity such as putting first

PED **502a** down, walking while carrying first PED **502a**, and driving with first PED **502a** being transported by an automotive vehicle or other means of transportation.

[0076] In addition to detecting physical contact beginning and/or ending, detecting a PED **502** in motion may include detecting coming into and/or ending other types of contact such as communications contact as has been described above with respect to contact via electromagnetic signals. In addition to or instead of detecting electromagnetic waves, motion may be detected based on emitting and/or detecting sound waves, chemical signals, biological signals, and/or changes in physical forces such gravitational forces.

[0077] Detecting that a portable electronic device is in motion relative to another object may include detecting a change in sound. The sound may be received from an identified direction relative to a direction of an object from the portable electronic device. In Fig. 5, second PED **502b** may include a microphone (not shown) for detecting sound. A motion monitor component **402a** operating in second PED **502b** may be configured to detect changes in sound. A directional microphone may be included in second PED **502b** for interoperating with motion monitor component **402a**. Motion monitor component **402a** in second PED **502b** may determine a direction of a source of the sound based on input detected by the directional microphone. Motion monitor component **402a** in second PED **502b** may detect relative motion by detecting a change in volume of a sound from a particular direction. Alternatively or additionally, motion monitor component **402a**, in second PED **502b**, interoperating with a directional microphone, may determine a path of relative motion based on a change in direction of a source of a sound detected over a given period of time.

[0078] Detecting that a portable electronic device is in motion may include detecting a change in a measure of heat where another other object is a source of the heat. In an aspect, first PED **502a** may include an infrared image capture device. A motion monitor component **402a**, in first PED **502a**, may be configured to perform image analysis on two or more infrared images captured by the infrared image capture device. A change in size of an area of heat in two or more pictures may indicate a change in distance between first PED **502a** and the object emitting heat corresponding to the area on the captured images. Motion monitor component **402a** in first PED **502a** may be configured to determine a change in distance between first PED **502a** and/or a relative path of movement between first PED **502a** and the object emitting the detected heat based on captured infrared images.

[0079] Detecting that a portable electronic device is in motion relative to an object may include receiving an indication from at least one of a vehicle transporting the portable electronic object and a vehicle transporting the object. A PED **502** may be configured to communicate with an automotive vehicle, directly and/or indirectly, via a peripheral communications link, such as USB cable, and/or via a network, such as network **506**. The PED **502** may receive operational information about the automotive vehicle such as a temperature reading of an operational component of the automotive vehicle, a measure of speed, a measure of fuel flow, a measure of power flow, a rate of rotations of an operational component, and/or any other information indicating that the automotive vehicle is moving while transporting the PED **502**.

[0080] Detecting that a portable electronic device is in motion relative to another object may include receiving data from at least one of a pedometer of a user transporting the

portable electronic device and/or a pedometer of a user transporting the other object. In an aspect, a PED **502** may include a pedometer. In another aspect, a portable electronic device, such as first PED **502a**, may be operatively coupled to a pedometer carried and/or attached to a user, such as first user **510a**. In yet another aspect, second PED **502b** may be communicatively coupled to a pedometer carried by and/or otherwise attached to first user **510a**. Respective motion monitor components **402** operating in one or more of first PED **502a**, second PED **502b**, and service node **504** may detect motion of a PED **502** with respect to a user, another portable electronic device, and/or some other object carried by a user. A motion monitor component **402** may receive pedometer information indicating that a user is walking. For example, pedometer information may indicate when one or more steps have been taken by a user. In an aspect, a motion monitor component **402** may estimate a relative speed of movement of a user and/or a carried object, such a PED **502**, based on a count of steps taken in a particular period of time.

[0081] The term "operating information" as used herein refers to any information accessible to a device that identifies an operational attribute of a device that is configured to perform an operation. Operating information for a portable electronic device and/or for an entity transporting device, such an automotive vehicle or a bicycle, may identify a speed, a direction, a route, an acceleration, a rate of rotation, a location, a measure of heat, a measure of pressure, a weight, a mass, a measure of force, an ambient condition, an attribute of the device's user, a measure of density based on attributes of objects within a specified location including the device, a measure of power consumed and/or available to the device, an attribute of an executable operating in an

execution environment of the device, and the like. For example, data that identifies a vector or path of movement of a PED **502** may be included in and/or otherwise identified by operating information.

[0082] "Object information" as used herein is information that identifies information about an object in motion relative to a portable electronic device, and/or otherwise enables the detection of the object in the motion. For example, object information may identify a distance between an object and a portable electronic device and/or may identify a location of the object with respect to the portable electronic device. In various aspects, object information may include and/or otherwise provide access to a measure of size of an object, a type of the object, an owner of the object, a material composing and/or otherwise included in the object, a measure of weight of the object, a measure of mass of the object, a measure of speed of the object, a measure of acceleration of the object, a direction of movement of the object, a monetary value of the object, a user of the object and/or an attribute of the user, operating information if the object is a device, and the like.

[0083] A motion monitor component **402** may be adapted to receive object information about an object in any suitable manner, in various aspects. For example object information may be received via one or more of a message transmitted via network, a communications interface, an input device, an invocation mechanism, an interprocess communication (IPC) mechanism, a register of a hardware component, a hardware interrupt, and a software interrupt.

[0084] In an aspect, motion monitor component **402a** in Fig. 4a operating in first PED **502a** in Fig. 5 may receive object information from second PED **502b** via a network

and/or via a direct communication link. A motion monitor component **402a** may detect that the two PEDs **502** are in motion relative to one another. First PED **502a** may receive the object information about second PED **502b** and/or about another object such as wall **512** via service node **504**. Service node **504** may include a database including information about fixed objects such as wall **512** and may receive real-time information about PEDs **502** from the respective PEDs **502**. In another aspect, motion monitor component **402b** may operate in service node **504**. One or more PEDs **502** and one or more objects may provide object information received by service node **504** for processing by motion monitor component **402b**. Motion monitor component **402b** may detect relative motion between a PED **502** and another object based on the received respective object information.

[0085] A motion monitor component **402a**, in Fig. 4a, in first PED **502a**, in Fig. 5, and/or a motion monitor component **402b** in service node **504** may receive object information from an automotive vehicle (not shown), from first PED **502a**, and/or from another object. Object information about a particular object may be preconfigured for motion monitor component **402a** and/or motion monitor component **402b**. For example, a data store with location information for various objects with fixed locations and/or otherwise known locations may be included in and/or otherwise accessible to PED **502a**, service node **504**, and/or to the automotive vehicle.

[0086] An instance or analog of execution environment **401a** in Fig. 4a may operate in second PED **502b**. Motion monitor component **402a** operating in second PED **402b** may receive object information in a message received via network stack **407a** and optionally via application protocol component **409a**. Second PED **502b** may request

object information via a network such as network **506** including first PED **502a** and/or some other object, such as a pedometer described above. Alternatively or additionally, second PED **502b** may listen for a heartbeat message via a wireless receiver in a network adapter indicating another object, such as first PED **502a**, has come into in range of the wireless network. Alternatively or additionally, attention service **403b** may interoperate with a network interface adapter and/or network stack **407b** to activate listening for a heartbeat message. Network **506** may be a local area network (LAN) with a limited range. One or more objects other than portable electronic devices may be detected by motion monitor component **402b** based on one or more received messages that may identify a location for each of one or more objects where the location or locations are in a region defined by the range of the LAN. In another aspect, attention service **403b** may send a request for object information. A PED **502** may be configured to receive the request and sent a message in response including and/or otherwise identifying object information. Attention service **403b** may provide the received object information to motion monitor component **402b** for detecting movement of the PED **502** within a range of service node **504**.

[0087] Receiving object information may include receiving the object information via a physical communications link, a wireless network, a local area network (LAN), a wide area network (WAN), and/or an internet. Object information may be received via any suitable communications protocol, in various aspects. Exemplary protocols include a universal serial bus (USB) protocol, a BLUETOOTH protocol, a TCP/IP protocol, hypertext transfer protocol (HTTP), a remote procedure call (RPC) protocol, a protocol supported by a serial link, a protocol supported by a parallel link, and Ethernet.

Receiving object information may include receiving a response to a request previously sent via a communications interface. Receiving object information may include receiving the object information in data transmitted asynchronously. An asynchronous message is not a response to any particular request and may be received without any associated previously transmitted request.

[0088] In yet another aspect, illustrated in Fig. 4b, network application platform component **405b** may receive object information in a message transmitted via network **506**. The message may be routed within execution environment **401b** to motion monitor component **402b** by network application platform **405b**. For example, the message may include a universal resource identifier (URI) that network application platform **405b** is configured to associate with motion monitor component **402b**. In an aspect, first PED **502a** may send object information to service node **504** via network **506**. In another aspect, attention service **403b** may be configured to monitor one or more PEDs **502** and/or other objects. A component of attention service **403b**, such as motion monitor component **402b,** may periodically send respective messages requesting object information via network **506** to the respective PEDs **502**, other objects, and/or proxies for PEDs **502** and/or other objects. A PED **502**, other object, and/or a proxy may respond to a request by sending a response message including object information. The response message may be received and the object information may be provided to motion monitor component **402b** as described above and/or in an analogous manner.

[0089] Returning to Fig. 2, block **204** illustrates that the method further includes detecting an interaction between a user and the portable electronic device during the motion. Accordingly, a system for providing feedback to a user of a portable electronic

device in motion includes means for detecting an interaction between a user and the portable electronic device during the motion. For example, as illustrated in Fig. 3, interaction monitor component **304** is configured for detecting an interaction between a user and the portable electronic device during the motion. Figs. 4a-b illustrate interaction monitor components **404** as adaptations and/or analogs of interaction monitor component **304** in Fig. 3. One or more interaction monitor components **404** operate in execution environments **401**.

[0090] Interaction monitor component **404a** in Fig. 4a and/or interaction monitor component **404b** in Fig. 4b may be adapted to detect interaction in any suitable manner, in various aspects of the subject matter described herein. For example detecting an interaction may include receiving interaction information. Interaction information may be received via one or more of a message transmitted via a network, a communications interface, an invocation mechanism, an interprocess communication (IPC) mechanism, a register of a hardware component, a hardware interrupt, a software interrupt, and an input device.

[0091] In an aspect, interaction monitor component **404a,** illustrated in Fig. 4a, may detect an interaction based on receiving interaction information via a hardware interrupt in response to insertion of a smart card in a smart card reader in and/or operatively attached to first PED **502a**. In another aspect, one or more input drivers **423a** operating in second PED **502b** may detect user input from a button or sequence of buttons in second PED **502b**. The button or buttons may receive input for an application accessible in and/or otherwise via second PED **502b**, and/or may receive input for a hardware component in and/or accessible via second PED **502b** The input(s) may be

associated with a particular user of second PED **502b** by interaction monitor component **404a** in second PED **502b** which may include and/or otherwise may be configured to operate with an authentication component (not shown). The authentication component may operate, at least in part, in a remote node, such as service node **504**. User ID and/or password information may be stored in persistent storage accessible within and/or via an execution environment **401a**. For example, user ID and password information may be stored in a data storage device of service node **504.**

[0092] In another aspect, illustrated in Fig. 4a, an interaction monitor component **404a** in first PED **502a** may detect an interaction by receiving interaction information in a message received via network stack **407a** and optionally via application protocol component **409a**. First PED **502a** may receive the message asynchronously or in response to a request sent to second PED **502b** or to a node other than a PED **502.** Interaction subsystem **403a** may interoperate with a network interface adapter and/or network stack **407a** to receive the message. In response to receiving the message, interaction subsystem **403a** may send the interaction information via a message queue to be received by interaction monitor component **404a** configured to monitor the message queue.

[0093] Alternatively or additionally, interaction monitor component **404a** operating in first PED **502a** may receive interaction information via a communications interface component communicatively linking first PED **502a** with second PED **502b**, another object, and/or a proxy. In an aspect, first PED **502a** may be operatively coupled to a BLUETOOTH port included in and/or otherwise coupled to a communications interface component. The BLUETOOTH port in first PED **502a** may detect an active

communication link to second PED **502b** based on a signal received from second PED **502b** via the BLUETOOTH link. Interaction information may be sent to interaction subsystem **403a** for receiving by interaction monitor component **404a** in response to a request to second PED **502b** and/or from service node **504**.

[0094] Receiving interaction information may include receiving the interaction information via a physical communications link, a wireless network, a local area network (LAN), a wide area network (WAN), and an internet. Interaction information may be received via any suitable communications protocol, in various aspects. Exemplary protocols includes a universal serial bus (USB) protocol, a BLUETOOTH protocol, a TCP/IP protocol, hypertext transfer protocol (HTTP), a remote procedure call (RPC) protocol, a serial protocol, Ethernet, and/or a parallel port protocol. Receiving interaction information may include receiving a response to a request previously sent via communications interface. Receiving interaction information may include receiving the interaction information in data transmitted asynchronously.

[0095] In yet another aspect, illustrated in Fig. 4b, network application platform component **405b** may receive interaction information in a message transmitted via network **506**. The message and/or message content may be routed within execution environment **401b** to interaction monitor component **404b** for receiving interaction information in and/or otherwise identified by the message sent from a PED **502**. The interaction information may be provided to interaction monitor component **404b** by network application platform **405b**. For example, the message may be received via a Web or cloud application protocol interface (API) transported according to HTTP. The message may identify a particular service provided, at least in part, by interaction

monitor component **404b**. In still another aspect, a message identifying interaction information may be received by interaction monitor component **404b** in service node **504** where the message is sent by first PED **502a**. In another aspect, first PED **502a** may receive the interaction information from second PED **502b** for forwarding to service node **504** via network **506**.

[0096] In still another aspect, in response to detecting an incoming communication identifying an interaction between second user **510b** and second PED **502b** as a participant in the communication with another user, second PED **502b** may send interaction information to service node **504** via network **506**. The term "communicant" refers to a user participant in a communication with another user, as used herein.

[0097] Attention service **403b** operating in service node **504** may be configured to monitor one or more PEDs **502**. A component of attention service **403b**, such as interaction monitor component **404b** may periodically send a message via network **506** to a PED **502** requesting interaction information. The PED **502** may respond to the request by sending a message including interaction information. The message may be received and the interaction information may be provided to interaction monitor component **404b** as described above and/or in an analogous manner.

[0098] In various aspects, adaptations and analogs of interaction monitor component **304**, in Fig. 3, may monitor a user of, for example, first PED **502a** by receiving interaction information from an input device. Either or both PEDs **502** may include an instance and/or analog of execution environment **401a** and an instance and/or analog of interaction monitor component **404a** configured for processing interaction information. The input device may be included in first PED **502a**, may operate in another PED

illustrated by PED **502b**, or may operate in a node that is not included in a PED **502** illustrated in Fig. 5 by service node **504**. Interaction information may include and/or may otherwise be based on input information generated in response to any input and/or group of inputs for detecting and/or otherwise determining whether a specified attention criterion is met for first PED **502a**. Exemplary input devices include a microphone, a display, a key, a touchpad, a touch screen, and a pointing device.

[0099] In an aspect, interaction information for a PED **502** may be received based on a lack of input detected by an input device and/or by detecting attention directed to an activity and/or object not included in operating the PED **502**. For example, a gaze detector for detecting interaction input for a PED **502** may not detect the gaze of the user of the PED **502** at a particular time and/or during a specified time period. Interaction information indicating the PED **502** has not been viewed by the user at the particular time and/or during the particular time period may be received by interaction monitor component **404a** in Fig. 4a from the gaze detector. The gaze detector may be in, for example, first PED **502a** and/or otherwise operatively coupled to execution environment **401a** in first PED **502a** for interoperating with interaction monitor component **404a**. In another aspect, interoperation between the gaze detector and interaction monitor component **404a** may be via a network. For example, the gaze detector may be included in first PED **502a** and interaction monitor component **404a** may operate in an instance of execution environment **401a** in second PED **502b**.

[0100] Interaction monitor components **404** in Fig. 4a and/or in Fig. 4b may include and/or otherwise interoperate with a variety of input devices. In an aspect, a scroll wheel included in first PED **502a** may receive input from first user **510a** indicating interaction

between first user **510a** and first PED **502a**. Interaction monitor component **404a** may receive interaction information in response to the detected scroll wheel input indicating a physical movement of first user **510a** of first PED **502a**. Input received via other input controls may result in interaction information detectable by an interaction monitor component **404a**. Exemplary input controls include buttons, switches, levers, toggles, sliders, lids, and the like.

[0101] Interaction monitor components **404** in Fig. 4a and/or in Fig. 4b may detect and/or otherwise receive interaction information identifying a measure of interaction, determined based on a specified interaction metric that indicates a degree or level of attention of a user, operating a PED **502**, to some or all of the PED **502**. For example, a sensor in headgear worn by the user may detect the user's head pointing in a direction of a location that includes the PED **502**. The sensor may detect a length of time the user's head is directed towards the PED **502**, a number of times the user's head is directed towards the PED **502** in a specified period of time, and/or a pattern of head movements with respect to the PED **502** detected over a period of time. The sensor in the headgear may interoperate with an interaction monitor component **404a** that is in the PED **502,** that is operatively coupled to an interaction monitor component **404a** in another PED **502**, and/or that is operatively coupled to interaction monitor component **404b** operating in service node **504**. Interaction information received by and/or from the sensor in the headgear may identify and/or may be included in determining a measure of interaction, according to a specified metric for measuring interaction of a user. The measure of interaction may indicate whether interaction is occurring and/or may identify a level of interaction that is occurring between the user and the PED **502**.

[0102] An interaction monitor component **404** may detect and/or otherwise receive interaction information based on other parts of a user's body. Interaction information may be received by an interaction monitor component **404a** and/or interaction monitor component **404b** based on an eye, an eyelid, a head, a chest, an abdomen, a back, a leg, a foot, a toe, an arm, a hand, a finger, a neck, skin, and/or hair; and/or portion of a user body that is monitored. An interaction monitor component **404** may detect and/or otherwise receive interaction information identifying, for a part or all of a user, a direction of movement, a distance of movement, a pattern of movement, and/or a count of movements of one or more parts of the user's body used in interacting with the PED **502**.

[0103] In an aspect, a gaze detector included in first PED **502a** may detect the user's eye movements to determine a direction of focus and/or a level of focus directed towards a particular operational component, such as a display, of first PED **502a**. Interaction monitor component **404a** in Fig. 4a may include and/or otherwise be operatively coupled to the gaze detector. In another aspect, a gaze detector in first PED **502a** may be communicatively coupled to interaction monitor component **404b** operating in service node **504** via network **506**. Alternatively or additionally, the gaze detector in first PED **502a** may be communicatively coupled to an instance or analog of an interaction monitor component **404a** operating in second PED **502b** via network **506** and/or via a direct physical communications link.

[0104] An interaction monitor component **404** in Fig. 4a and/or in Fig. 4b may receive interaction information for a PED **502** and/or for another object by receiving information from the PED **502** in response to user interaction with the PED **502**. Interaction monitor

component **404a** may receive interaction information by monitoring attention to another object. A gaze detector and/or other sensing device may be at least partially included in the PED **502** and/or at least partially on and/or in the user of the PED **502**. For example, a user may wear eye glasses and/or other gear that includes a motion sensing device detecting direction and/or patterns of movement of a head and/or eye of the user.

[0105] Alternatively or additionally, an interaction monitor component **404** in Fig. 4a and/or in Fig. 4b may include and/or otherwise may communicate with other sensing devices. An interaction monitor component **404** may interoperate with various types of head motion sensing devices included in a PED **502** and/or worn by a user. Parts of a PED **502** may detect touch input directly and/or indirectly via, for example, depressible buttons, rotatable dials, multi-position switches, and/or touch screens. A PED **502** may include one or more microphones for detecting sound and determining a direction of a head of a user. Other sensing devices that may be included in a PED **502**, included in the user, and/or attached to the user include galvanic skin detectors, breath analyzers, detectors of bodily emissions, and detectors of substances taken in by the user such as alcohol.

[0106] Fig. 4b illustrates interaction monitor component **404b** operating external to a PED **502**. Interaction monitor component **404b** operating in service node **504** may receive interaction information for the PED **502** via network **506**. Interaction monitor component **404b** in Fig. 4b may receive interaction information from one or more of the exemplary sensing devices described above with respect to Fig. 4a. Interaction monitor component in **404b** operating in service node **504** may interoperate with one or more PEDs **502**. In an aspect, interaction monitor component **404b** may monitor interaction

between first user **510a** and first PED **502a`** and may also monitor interaction between second user **510b** and second PED **502b**.

[0107] An interaction metric may measure interaction in terms of a number of pre-defined states or interaction statuses that are discrete. A metric may provide a mathematical measure of interaction determined by evaluating a continuous function. Interaction information, in an aspect, may further identify an object receiving and/or not included in an interaction with the user, or may identify a space to which the user's attention is directed and/or a space to which some or all of the user's attention is not directed; indicating a space with which the user may be respectively interacting and not interacting with an object.

[0108] Interaction and/or lack of interaction with a portable electronic device may be detected without receiving an intentional input from a user and/or without presenting a user-detectable output. For example, a motion monitor may detect a user's head turn in the direction towards a PED **502**. Interaction information identifying the user's head is turned towards the PED **502** may be received and/or used as interaction information for the PED **502** indicating the user may be, at least visually, interacting with the PED **502**. The interaction information may serve to indicate a lack of user interaction with one or more objects other than the PED **502**.

[0109] In an aspect, a user press of a touch screen may be detected. An interaction monitor component **404** in Figs. 4a-b may receive interaction information in response to the detecting of the press by the user of the PED **502**. The interaction information may identify a change in the user's interaction with the PED **502**. Alternatively or additionally, the interaction information received, in response to detecting the press, may identify a

measure of interaction with the PED **502** over a period of time when combined with information based on other detected inputs in the time period. Received interaction information may identify a lack of interaction with the PED **502**. Interaction information may identify a relative measure of interaction, an absolute measure of interaction, interaction with a particular object and/or interaction not directed to a particular object.

[0110] In another aspect, interaction information may be reported by a user for receiving by one or more interaction monitor components **404** in one or more respective PEDs **502** and/or in one or more respective service nodes **504**. A user may report interaction information based on observation of a portable electronic device, observation of a user, and/or observation of some other object. A user may report interaction information based on knowledge of a portable electronic device, such as a whether the portable electronic device is configured for playing games and/or for voice communication; and/or based on knowledge of a user, such as a disability, a medication effect, sleepiness, observed activity of the user, and/or ambient condition for the user.

[0111] In various aspects, an interaction subsystem **403** may be adapted to evaluate an attention criterion based on a detected interaction. Fig. 4a and Fig. 4b illustrate attention condition components **425** each adapted to evaluate an attention criterion based on an interaction detected by one or more interaction monitor components **404**.

[0112] In various aspects, a measure of interaction with a portable electronic device by a user may be included in identifying an attention criterion for evaluating and/or for determining whether an attention criterion is met. An attention criterion based on interaction with a portable electronic device may be identified for evaluation and/or may otherwise be evaluated based on an attribute of the user of the portable electronic

device, an attribute of one or more objects in motion relative to the portable electronic device, an attribute of a relative motion of the portable electronic device with respect to another object, a location of the portable electronic device, and/or an ambient condition, to name a few examples. Predefined and/or dynamically determined attributes may be included in determining whether a measure of interaction between a user and a portable electronic device meets an attention criterion or not. For example, one or more of a speed of movement of a portable electronic device relative to another object, a rate of acceleration, a measure of ambient light, a measure of congestion of users and/or other objects in a location including the portable electronic device, and/or an age of the user of the portable electronic device may be included in determining whether an attention criterion is met. An attention criterion may specify a threshold condition based on a metric for measuring interaction. The threshold condition may be specified so that it is met when the specified threshold is met and/or crossed based on received interaction information.

[0113] Attention condition component **425a** in Fig. 4a and/or attention condition component **425b** in Fig. 4b may interoperate with a timer component (not shown), to set a timer with a given duration. The duration and/or a particular time for setting the timer may be identified by configuration information. For example, a timer may be set at regular intervals and/or in response to one or more specified events such as a change in an application operating in a PED **502** and/or a change in a type and or level of user interaction with the PED **502**. A timer may be set in response to receiving interaction information. For example, interaction monitor component **404a** may detect a user's visual interaction with first PED **502a**. In response, attention condition component **425a**,

may be invoked to instruct a clock component (not shown) to start a timer for detecting a time period for determining whether an attention criterion is met.

[0114] In various aspects, an attention condition component **425** in Fig. 4a and/or in Fig. 4b may detect an expiration of a timer as identifying a time period. A measure of interaction and/or an attention criterion may be based on time. Alternatively or additionally, a time period may be detected indirectly through detecting the occurrence of other events that bound and/or otherwise identify a start and/or an end of a time period. Time periods may have fixed and/or may have varying durations. Time may be measured in regular increments as is typical, but may also be measured by the occurrence of events that may occur irregularly as compared to the regularity of, for example, a processor clock. For example, time may be measured in distance traveled by a PED **502**, based on a velocity of a PED **502**, based on interaction events detected by one or more components of a PED **502**, and/or time may be measured in terms of detected objects external to a PED **502** such as another PED **502**.

[0115] Identifying that an attention criterion is met may include detecting a specified time period indicating that the criterion is to be tested. For example, a timer may be set to expire every thirty seconds to indicate that an attention criterion for a PED **502** is to be tested. In another example, a start of a time period may be detected in response to attention condition component **425b** receiving a first indicator of visual interaction based on detected visual interaction. An end of the time period may be detected in response to attention condition component **425b** receiving a subsequent indicator of visual interaction. Attention condition component **425b** may measure a duration of the time period based on receiving the first indicator and the subsequent indicator.

[0116] Alternatively or additionally, detecting a time period for determining whether an attention criterion is met may include detecting a time period during which no input is detected that would indicate a user is interacting with a portable electronic device for at least a portion of the time period. The at least a portion may be defined by a configuration of a particular attention condition component **425**. For example, a time period may be defined based on detecting that a specified number of indicators of visual interaction are received in the time period and/or based on a measure of time between receiving indicators of visual interaction in the time period.

[0117] Alternatively or additionally, identifying that an attention criterion is met may include detecting interaction with something other than the PED **502** for at least a portion of a detected the time period. As similarly described in the previous paragraph, the at least a portion of the time period may be defined by a configuration of a particular attention condition component **425**. A time period or portion thereof may be defined based on detecting a particular number of indicators of visual interaction received in the time period and/or based on a measure of time between receiving indicators of visual interaction in the time period.

[0118] An attention condition component **425**, in Fig. 4a and/or in Fig. 4b, may receive and/or otherwise evaluate an attention criterion. An attention criterion may be tested and/or otherwise detected based on received interaction information or on not receiving interaction information at a particular time and/or during a specified time period. That is, the attention criterion may be time-based. An attention criterion may be selected and/or otherwise identified from multiple attention criteria for testing based on a duration of a detected time period of a specified lack of interaction.

[0119] A measure of the duration of a time period of low interaction may be provided as input for testing and/or otherwise evaluating an attention criterion by attention condition component **425a** in Fig. 4a and/or attention condition component **425b** in Fig. 4b. A variety of criterion may be tested in various aspects. An attention criterion may be based on a particular portable electronic device, an object other than the portable electronic device, a user, a relative speed of motion, another portable electronic device, a geospatial location of a portable electronic device, a current time, a day, a month, and/or an ambient condition, to name a few examples.

[0120] Returning to Fig. 2, block **206** illustrates that the method yet further includes receiving image data, for a first object, captured by an image capture device during the motion. Accordingly, a system for providing feedback to a user of a portable electronic device in motion includes means for receiving image data, for a first object, captured by an image capture device during the motion. For example, as illustrated in Fig. 3, capture manager component **306** is configured for receiving image data, for a first object, captured by an image capture device during the motion. Figs. 4a-b illustrate capture manager component **406b** as adaptations and/or analogs of capture manager component **306** in Fig. 3. One or more capture manager components **406b** operate in execution environments **401**.

[0121] In various aspects, capture manager component **306**, in Fig. 3, and its adaptations may be configured to receive image data in any suitable manner. For example, image data may be received via one or more of a message transmitted via a network, via a communications interface, an invocation mechanism, an interprocess

communication (IPC) mechanism, a register of a hardware component, a hardware interrupt, and a software interrupt.

[0122] Fig. 4a and Fig. 4b illustrate capture subsystems **415** configured to interoperate with one or more capture devices, as illustrated by image capture device **427a** in Fig. 4a. Exemplary capture devices include still image capture devices and video capture devices. An image capture device may be configured to detect visible light in capturing an image and/or may be configured to detect light that is not visible to humans. For example, image data may be received from an infrared image capture device. Capture subsystem **415a** may be operatively coupled to one or more capture devices (not shown) external to execution environment **401a** in a PED **502**. Capture subsystem **415b** may be operatively coupled to one or more capture devices external to execution environment **401b** in service node **504**. Alternatively or additionally, a capture subsystem **415** may be communicatively coupled to a capture device via a network. The communicative coupling may include a proxy device. For example, a node may be operatively coupled to a capture device via a peripheral interface such as a USB port. The node may be operatively coupled to a network. A capture subsystem **415** may be communicatively coupled to the node via a network and a corresponding capture manager **406** may receive image data from the capture device via the proxy node.

[0123] In an aspect, a capture manager component **406** may continuously and/or automatically receive image data via a communicative coupling of a corresponding capture subsystem **415** to an image capture device. A motion monitor component **402** may be configured to interoperate with a capture manager component **406** to receive captured image data in response to detecting a PED **502** in motion. Alternatively or

additionally, an interaction monitor component **404** may be configured to interoperate with a capture manager component **406** to receive captured image data in response to detecting an interaction with a user of a PED **502**. Alternatively or additionally, a component of interaction subsystem **403a** and/or attention subsystem **403b** may interoperate with a capture manager component **406** to receive captured image data in response to detecting that an attention criterion is met.

[0124] In another aspect, a capture manager component **406** may receive image data in response to an instruction from a component of interaction subsystem **403a** and/or attention subsystem **403b** directing a capture subsystem to capture the image data. The image data may be captured in response to one or more of detecting a PED **502** in motion, detecting a user interaction with interaction a PED **502**, and determining that an attention criterion is met as described above. A motion monitor component **402** may be configured to interoperate with a capture subsystem **415** to capture image data in response to detecting a PED **502** in motion. Alternatively or additionally, an interaction monitor component **404** may be configured to interoperate with a capture subsystem **415** to capture image data in response to detecting an interaction with a user of a PED **502**. Alternatively or additionally, a component of interaction subsystem **403a** and/or attention subsystem **403b** may interoperate with a capture subsystem **415** to capture image data in response to detecting that an attention criterion is met. A capture manager component **406** may receive the captured image data described in the various aspects above.

[0125] Receiving image data may include sending a request to retrieve the image data; and receiving the image data in a response to the request. A capture manager

component **406** may receive image data in response to requesting image data from an image capture device. A capture subsystem **415** may provide image data captured prior to the request and/or may provide image data capture after the request. A capture subsystem **415** may direct a capture device to capture image data in response to a request for image data from the capture manager **406**. In another aspect, image data may be received automatically by a capture manager component **406** in response to a capture device capturing image data. A request for image data may not be required. A request to capture image data and a request to receive image data may be requested together and/or in separate requests in various aspects.

[0126] As described above, a capture manager component **406** may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED **502** and/or located external to the PED **502** to capture image data from respective perspectives with respect to the PED **502**. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED **502** to the right of a PED user **510** of the PED **502**. The PED **502** may include image capture devices in a top portion, a left portion, and a right portion of the PED **502**. In response to an attention condition component **425** detecting that the attention criterion is met, the attention condition component **425** and/or another component may interoperate with a capture

manager component **406** to receive image data captured of the object from the image capture device in the right portion of the PED **502**. Alternatively or additionally, in response to a motion monitor component **402** detecting the PED **502** in motion relative to an object in front of the PED user **510**, motion monitor component **402** and/or another component of may interoperate with a capture manager component **406** to receive image data captured of the object from the image capture device in the top portion of the PED **502**. Alternatively or additionally, in response to an interaction monitor component **404** detecting the PED user **510** interacting with the PED **502** while in motion relative to an object to the left of the PED user **510**, interaction monitor component **404** and/or another component of an interaction subsystem **403** may interoperate with a capture manager component **406** to receive image data captured of the object from the image capture device in the left portion of the PED **502**.

[0127] In another aspect, an image capture device may be included in movable housing. Receiving image data may include sending an instruction to a housing controller component (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED **502** to the right of a PED user **510** of the PED **502**. The PED **502** may include an image capture device in a movable housing. In response to an attention condition component **425** detecting that the attention criterion is met, an attention condition component **425** and/or another component may interoperate with a capture subsystem **415** to direct the housing to be placed in a position pointing the image capture device to the right of the PED **502** from

the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to a motion monitor component **402** detecting the PED **502** in motion relative to an object in front of the PED user **510**, motion monitor component **402** and/or another component may interoperate with a capture subsystem **415** to direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to an interaction monitor component **404** detecting the PED user **510** interacting with the PED **502** while in motion relative to an object to the left of the PED user **510**, interaction monitor component **404** and/or another component may interoperate with a capture subsystem **415** to direct the housing to be placed in position pointing the image capture device to the left of the PED **502** from the PED user's perspective to receive image data captured of the object.

[0128] Returning to Fig. 2, block **208** illustrates that the method yet further includes sending, in response to both detecting the interaction and detecting the motion, the image data for presenting an image of the first object by a display device that is viewable to the user during the motion. Accordingly, a system for providing feedback to a user of a portable electronic device in motion includes means for sending, in response to both detecting the interaction and detecting the motion, the image data for presenting an image of the first object by a display device that is viewable to the user during the motion. For example, as illustrated in Fig. 3, attention director component **308** is configured for sending, in response to both detecting the interaction and detecting the motion, the image data for presenting an image of the first object by a display device that is viewable to the user during the motion. Figs. 4a-b illustrate

attention director component **408** as adaptations and/or analogs of attention director component **308** in Fig. 3. One or more attention director components **408** operate in execution environments **401**.

[0129] In various aspects, attention director component **308**, in Fig. 3, and its adaptations may be configured to send image data in any suitable manner. For example, image data may be sent via one or more of a message transmitted via a network, a communications interface, an invocation mechanism, an interprocess communication (IPC) mechanism, a register of a hardware component, a hardware interrupt, and a software interrupt.

[0130] In Fig. 4a, attention director component **408a** may interoperate with presentation subsystem **417a**, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED **502** to alter a direction of, object of, and/or other attribute of attention for the user of the PED **502** to direct the user's attention away from the PED **502** causing the user to interact with the object. For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED **502** to receive sensory input from an object in front of the user, based on a met attention criterion. Presentation subsystem **417a** may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0131] The term "attention output" as used herein refers to a user-detectable output to attract, instruct, and/or otherwise direct the attention of a user of a portable electronic device. An attention output may be defined to direct attention of a user away from a

portable electronic device. For example, a message box may include an image of an object. The message box may include an instruction to the user of the portable electronic device to look up and away from the portable electronic device. Such as message box is an attention output. The presented image by itself may be presented as an attention output.

[0132] In Fig. 4a, a UI element handler component **411a** in and/or otherwise operatively coupled to attention director component **408a** may send attention information including image data for presenting an attention output including an image based on the image data to the user of first PED **502a** to instruct the user to direct attention and/or otherwise change an attribute of the user's attention away from the PED **502** to be aware of another object via sensory input received from the other object. The UI element handler component **411a** may invoke presentation controller **413a** to interoperate with an output device via presentation subsystem **417a**, as described above, to present the attention output. Presentation controller **413a** may be operatively coupled, directly and/or indirectly, to a display and may also be operatively coupled to a light, an audio device, a device that moves, and the like.

[0133] In an aspect, an attention director component **408** may be configured to send color information to present a color in an image and/or associated with an image of an object in motion relative to a PED **502**. The image and color may be presented on a display screen of the PED **502**. The color may be presented in a UI element including the image of the object in relative motion with respect to the PED **502** to direct the user to interact with the object and/or to change an attribute of interaction with the object. For example, an attention output may be presented to increase interaction with the object.

[0134] n another aspect, an attribute such as color may be used to rank and/or otherwise prioritize one or more sources from which the user may be directed for receiving sensory input. A first color may identify a higher attention output with respect to a lesser attention output indicated by a second color. For example, red may be defined as higher priority than orange, yellow, and/or green. Red may be presented in response to detecting that an attention criterion is met in and/or associated with an attention output for directing a user to look left for receiving sensory input, while yellow may be in and/or associated another attention output presented at the same time directing the user to look behind according to one or more objects detected to be in motion relative to the portable electronic device.

[0135] Fig. 6 illustrates user interface elements presented by a display of a portable electronic device. Fig. 6 illustrates PED **602** including a presentation space **604** of a display device included in PED **602**. PED **602** is illustrated including input controls **606a-c** for receiving user input in an interaction between the user and PED **602**. Fig. 6 illustrates application window **608**, which may be included in a user interface of an application at least partially operating in PED **602**. The user of PED **602** may be walking and interacting with the application via output presented via application window **608** and/or one or more input controls **606**. An attention condition component **425** in and/or otherwise operatively coupled to PED **602** may determine that an attention criterion is met. Attention information including captured image data may be sent, in response, to present attention output **610** to direct attention of the user away from PED **602** to receive input from an object in motion relative to PED **602**. Attention output **610** includes an image of the object presented based on received image data captured during the

motion. The image may be included in a still image and/or in a video presented in attention output **610**. Attention outputs may take any suitable form, some of which are described above. In Fig. 6, attention output **610** may present an image based on infrared image data captured by an infrared camera and/or a low-light image capture device.

[0136] Attention output **610** may be presented in a location that is defined to direct attention of a user of PED **602** based on the location. In Fig. 6, attention output is presented in the top, right corner of display presentation space **604**. The top, right corner may be defined to direct the user to look up and to the right. To direct a user to look behind, an attention output including an image of an object in motion relative to PED **602** may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

[0137] Attention information representing an attention output to direct a user's attention away from a portable electronic device may include presentation information for changing a border thickness in a border in a user interface element in and/or surrounding some or all of an image of a object in motion relative to a portable electronic device. For example, to attract attention to the left of a user of PED **602**, attention information may be sent to change the thickness of the left border of application window **608** while presenting an image of an object to the left of the user in attention output **610**. An attention director component **408a** operating in PED **602** in Fig. 6 may send attention information to presentation controller **413a** to present a front-left indicator by causing the thickness of the left border of application window **608** to change

in a manner defined to direct the user's attention to the front-left with respect to the user's position to receive sensory input from the object located in the indicated direction.

[0138] A visual pattern may be presented via an output device. The pattern may direct attention and/or otherwise alter an attribute of attention of a user of a PED **502** to an object, in motion relative to the PED **502**, as a source of sensory input for detecting by the user. An output pattern may also direct a user to change direction, speed, and/or a location with respect to an object in motion relative to the PED **502**. A visual pattern may be integrated into an image presented based on captured image data.

[0139] In an aspect, a sensor in second PED **502b** may receive input from an eye of second user **510b** of second PED **502b** gazing at a display of second PED **502b**. Attention director component **408b** in service node **504** may send a message including attention information including image data of first PED **502a** and/or first user **510a**, via network **506** to second PED **502b**, to present an attention output. Second PED **502b** and first PED **502a** may be in motion with respect to each other. The message may be sent to present an attention output to second user **510b** via second PED **502b**. Alternatively or additionally, an instance of attention director component **408a** operating in first PED **502a** may send attention information to second PED **502b** to present an attention output to the user of second PED **502b**.

[0140] An attention output may provide relative interaction information as described above. In an aspect, attention outputs may be presented based on a multi-point scale providing relative indications of a need for a user's attention. Higher priority or lesser priority may be identified based on the points on a particular scale. A multipoint scale may be presented based on text such as a numeric indicator and/or may be graphical,

based on a size or a length of the indicator corresponding to a priority ordering. Alternatively or additionally, a multi-point scale may be represented by an attribute of a presented captured image. For example a size of an image may indicate a priority. In another example, an image effect such as a level brightness may indicate a priority.

[0141] For example, a first attention output including an image of first object may be presented in black and white, based on interaction information for interaction including first PED **502a** and first user **510a**. A second attention output including an image of another object may be presented in full color or in gradations of red and white to direct first user's attention in a different manner. Numbers may be presented in and/or along with images to specify a priority and/or order for directing a user's attention to various objects as sources of input for the user. The size of the respective images may indicate a ranking or priority of one attention output over another. For example, if a first image is larger than a second image, the scale may be defined to indicate the user's attention should be directed away from the portable electronic device to receive input from a first object captured in the first image instead of and/or before directing attention to a second object captured in the second image.

[0142] A user interface element, including an attention output, may be presented by a library routine of, for example, GUI subsystem **417a**. Attention director component **408a** may change a user-detectable attribute of the UI element. Alternatively or additionally, attention director component **408a** in second PED **502b** may send attention information via network **506** to first PED **502a** for presenting via an output device of first PED **502a**. An attention output may include information for presenting a new user interface element

and/or to change an attribute of an existing user interface element to alter and/or direct a user's attention to an object in motion relative to a portable electronic device.

[0143] A region of a surface in a portable electronic device may be designated for presenting an attention output. As described above a region of a surface of PED **602** may include a screen of a display device for presenting user interface elements illustrated in Fig. 6. A position on and/or in a surface of PED **602** may be defined for presenting an attention output. Attention outputs may have positions relative to one another. The relative positions may be defined to identify a direction, a level, and/or an object of attention based on their locations relative to one another. A portion of a screen in a display device may be configured for presenting one or more attention outputs.

[0144] An attention director component **408** in Fig. 4a and/or in Fig. 4b may provide attention information for an attention output that indicates how soon a user should direct attention away from a PED **502** to another source of input for the user. For example, changes in size, location, and/or color may indicate whether a particular object separate from the PED **502** requires attention and may give an indication of how soon an object may need attention and/or may indicate a level of attention suggested and/or required. A time indication for detecting sensory input from an object may give an actual time and/or a relative indication may be presented.

[0145] In Fig. 4b, attention director component **408b** in attention service **403b** may send attention information via a response to a request and/or via an asynchronous message to a client, such as first PED **502a** and/or may exchange data with one or more input and/or output devices in one or both PEDs **502** directly and/or indirectly to send attention information including captured image data. Attention director component

408b may send attention information in a message via network **506** to a PED **502** for presenting an attention output.

[0146] Presentation subsystem **417a**, in Fig. 4a, operating in a PED **502** may be operatively coupled to a projection device for projecting a user interface element as and/or including an attention output on a surface in a direction of an object from which a user of the PED **502** is directed to receive input; directing the user's attention away from the PED **502**. An attention output may be included in and/or may include one or more of an audio interface element, a tactile interface element, a visual interface element, and an olfactory interface element.

[0147] Attention information may include time information identifying a duration for presenting an attention output to maintain the attention of a user directed to a particular object in motion relative to a portable electronic device. For example, a PED **502** may be performing an operation where no user interaction is required for a time period. An attention output may be presented by attention director component **408a** for maintaining the attention of the user of PED **502** to one or more objects separate from the PED **502** based on the time period of no required interaction between the user and the PED **502**

[0148] The method illustrated in Fig. 2 may include additional aspects supported by various adaptations and/or analogs of the arrangement of components in Fig. 3. For example, in various aspects, receiving object information and/or receiving interaction information may include receiving a message as a response to a request in a previously sent message as described above. In addition, as described above, receiving object information and/or receiving interaction information may include receiving a message transmitted asynchronously.

[0149] One or more of the elements of the method illustrated in Fig. 2 may be performed during specified times, such as after dark, identified by temporal information; based on an attribute, such as size, of an object in motion relative to a portable electronic device; based on a particular ambient condition, such as rain or snow that require a user be more attentive to objects other the portable electronic device; a user's experience in using a portable electronic device and/or a feature of the portable electronic device; a user's physical capabilities, mental capabilities, and/or a user's limitations may affect when one or more of the elements in the method are performed. One of more of the components illustrated in Fig. 3 may be adapted to operate in response to and/or otherwise based on information such as listed in this paragraph.

[0150] Object information and/or interaction information may be received in response to detecting one or more of a request to perform a particular operation, a performing of a particular operation, wherein the operation is to be performed and/or is being performed by the portable electronic device. One of more of the components illustrated in Fig. 3 may be adapted to monitor one or more of the items just listed and/or to interoperate with a component configured to monitor such items.

[0151] Detecting a user interaction with a portable electronic device may be based on one or more of a personal identification number (PIN), a hardware user identifier, an execution environment user identifier, an application user identifier, password, a digital signature that may be included in a digital certificate, a user communications address, a network address, device identifier, a manufacturer identifier, a serial number, a model number, an initiation operation, a removable data storage medium, temporal information, an ambient condition, geospatial information for the portable electronic

device, the user, the portable electronic device, another user of another portable electronic device, a velocity of relative motion, an acceleration of relative motion, a topographic attribute of a route of relative motion, a count of objects in an areas including the portable electronic device, and a measure of sound. For example, a user interaction may be detected by an interaction monitor component **402**, in Fig. 4a and/or in Fig. 4b, for a specific user or users, may be based on some or all of the types of information just identified.

[0152] Exemplary communication addresses include a phone identifier (e.g. a phone number), an email address, an instant message address, a short message service (SMS) address, a multi-media message service (MMS) address, an instant message address, a presence tuple identifier, and a video user communications address. A user communications address may be identified by an alias associated with the user communications address. For example, a user communications address may be located in an address book entry identified via an alias. An alias may be another user communications address for the user.

[0153] As described above, one or both of detecting a user interaction with a portable electronic device during a period of relative motion with respect to another object and sending attention information may be performed in response to interaction information detected by a sensor that may be integrated into a portable electronic device, such as a mobile phone and/or a media player. The sensor may detect one or more of an eyelid position, an eyelid movement, an eye position, an eye movement, a head position, a head movement, a substance generated by at least a portion of a body of the user, a measure of verbal activity, a substance taken in bodily by the user. For example,

interaction information may be received based on input detected by sensor such as a breathalyzer device that may identify and/or that may be included in determining an attribute of visual interaction based on blood-alcohol information included in and/or identified by the interaction information.

[0154] Detecting a user interaction with a portable electronic device may include receiving a message, via a communications interface, identifying interaction information for the portable electronic device. The user interaction may be detected based on receiving the message. The message may be received by one or more of a PED **502** and a node that may or may not be another personal electronic device communicatively coupled to the PED **502**. The message may be included in a communication between a first communicant represented by the PED and a second communicant represented by the other node.

[0155] Exemplary operations for which attention information may be sent, in response to, include one or more of presenting output to the user of a portable electronic device, receiving input from the user, receiving a message included in a communication including the user as a communicant, and sending a message included in a communication including the user a communicant.

[0156] One or more of detecting a user interaction with a portable electronic device and sending attention information may be performed in response to and/or otherwise based on one or more of an attribute of the user, an object in a location including the portable electronic device, an attribute of the portable electronic device, an attribute of an object in a location including the portable electronic device, a speed of relative motion, a path of relative motion, an ambient condition, a topographic attribute of a

location including the portable electronic device, information from a sensor external to the portable electronic device, and information from a sensor included in the portable electronic device. For example, attention director **408a** operating in first PED **502a** may determine whether to send attention information based on a location of first PED **502a**. The attention information may be sent based on a classification of the topography of the location.

[0157] Alternatively or additionally, attention information may be specified based on an identifier of an executable, a process, a thread, a hardware component identifier, a location in a data storage medium, a software component, a universal resource identifier (URI), a MIME type, an attribute of a user interaction included in performing the operation, a network address, a protocol, a communications interface, a content handler component, and a command line. An identifier of an attribute of a user interaction may be based on a type of user sensory activity. A user sensory activity may include at least one of visual activity, tactile activity, and auditory activity. In still another aspect, an identifier of an attribute of a user interaction may be identified based on an input device and/or an output device included in the user interaction.

[0158] The method illustrated in Fig. 2 may further include detecting an event defined for ending the presenting of the attention output. Additional attention information may be sent to stop the presenting of the attention output by the output device.

[0159] Detecting that a portable electronic device is in motion may include detecting a wind speed and/or a wind direction. In Fig. 5, first PED **502a** may include and/or be communicatively coupled to an anemometer. A change in wind speed may be defined for first PED **502a** to indicate a change in location indicating that first PED **502a** is in

motion. A change in wind speed may also indicate a change in direction of motion and/or a movement from inside a structure to outside.

[0160] Detecting that a portable electronic device is in motion may include detecting a difference between a first measure of pressure for a first portion of an external surface of the portable electronic device and a second measure of pressure for a second portion of an external surface of the portable electronic device. In an aspect, second PED **502b** may include sensors on opposite surfaces. An increase in pressure detected by a pressure sensor in a first surface along with a decrease in pressure detected by a pressure sensor in an opposite second surface may indicate motion relative to the atmosphere. A motion monitor component **402** may be configured to detect motion based on differences in pressure detected by sensors in surfaces of second PED **502b**.

[0161] Detecting that the portable electronic device is in motion may include receiving a message from another device identifying the motion. As described above, first PED **502a** in Fig. 5 may send object information to second PED **502b** for processing by a motion monitor component **402a** in second PED **502b**. The object information may identify that the two PEDs **502** are in motion and/or otherwise may be processed by motion monitor component **402a** to determine whether the two PEDs **502** are in motion with respect to one another.

[0162] As described above, detecting interaction between a user and a portable electronic device may include detecting an input from the user of the portable electronic device. The input may be detected by at least one of a gaze detecting device, a tactile input detecting device, an audio input device, an image capture device, a motion detecting device, a light detecting, a heat detecting device, a chemical sensing device, a

pressure sensing device, a speed sensing device, a direction sensing device, an acceleration detecting device, a weight sensing device, a mass sensing device, and a device for detecting measure based on a gravitational force.

[0163] An interaction may include at least one of receiving an input for sending data to a node via a network and receiving data, from the node, for presenting a user-detectable output by the portable electronic device. Sending the data and/or receiving the data may be performed via a communication that identifies the user of the portable electronic device as a communicant in the communication. The communication may include sending and/or receiving one or more of an email, a short message service message (SMS), a multimedia service message (MMS), an instance message, presence information, a voice message, and/or a video message.

[0164] Determining that an attention criterion is met may be performed in response to detecting a communication between a portable electronic device representing a user as a communicant identified in the communication and a node representing a second communicant in the communication.

[0165] Determining that an attention criterion is met may include, based on a detected input from the user, identifying the attention criterion and/or evaluating the attention criterion. An attention criterion may be based on one or more of a count of inputs, and a measure of time between detection of a first input and detection of a second input while the portable electronic device is in motion relative to another object.

[0166] An attention criterion may be based on one or more of a type of data and an amount of data at least one of received by the portable electronic device **502** in the interaction and output presented by the portable electronic device **502** in the interaction.

[0167] An attention criterion may be based on one or more of a measure of distance between a portable electronic device and another object, a measure of heat associated with the other object, a measure of size associated with the other object, a direction of motion, a measure of velocity of the relative motion, a measure of acceleration of the relative motion, a detected shape of the other object, an ability of the user, a disability of the user, a temporal attribute, an ambient condition, a topographic attribute of a location of the portable electronic device during motion, a location including the portable electronic object and the other object, a measure of sound, a measure of heat, a direction of the relative motion, a measure of interaction between the user and the portable electronic device, a measure of interaction of the user directed away from the portable electronic device, an attribute of the user, and an ambient condition.

[0168] An attention criterion may be received via a network and/or selected by the portable electronic device. For example, attention criterion may be included in and/or identified in information received based on a location by an attention condition component **406**, such as a particular building, in which a PED **502** is present. The PED **502** may select one or more attention criterion for evaluating based on, for example, a type of portable electronic device, and/or based on an input from the user for selecting an attention criterion. Alternatively or additionally, an attention criterion may be based on an operation being performed by the PED **502** while in motion and/or based on an attribute of an object in motion relative to the PED **502**.

[0169] An attention output may be defined to direct a user's attention away from a portable electronic device to an object in motion relative to the portable electronic device based on one or more of a location, a pattern, a color, a volume, a measure of

brightness, and a duration of the presentation. An attention output may include a message including one or more of text data and voice data.

[0170] To the accomplishment of the foregoing and related ends, the descriptions and annexed drawings set forth certain illustrative aspects and implementations of the disclosure. These are indicative of but a few of the various ways in which one or more aspects of the disclosure may be employed. The other aspects, advantages, and novel features of the disclosure will become apparent from the detailed description included herein when considered in conjunction with the annexed drawings.

[0171] It should be understood that the various components illustrated in the various block diagrams represent logical components that are configured to perform the functionality described herein and may be implemented in software, hardware, or a combination of the two. Moreover, some or all of these logical components may be combined, some may be omitted altogether, and additional components may be added while still achieving the functionality described herein. Thus, the subject matter described herein may be embodied in many different variations, and all such variations are contemplated to be within the scope of what is claimed.

[0172] To facilitate an understanding of the subject matter described above, many aspects are described in terms of sequences of actions that may be performed by elements of a computer system. For example, it will be recognized that the various actions may be performed by specialized circuits or circuitry (e.g., discrete logic gates interconnected to perform a specialized function), by program instructions being executed by one or more instruction-processing units, or by a combination of both. The

description herein of any sequence of actions is not intended to imply that the specific order described for performing that sequence must be followed.

[0173] Moreover, the methods described herein may be embodied in executable instructions stored in a computer-readable medium for use by or in connection with an instruction execution machine, system, apparatus, or device, such as a computer-based or processor-containing machine, system, apparatus, or device. As used here, a "computer-readable medium" may include one or more of any suitable media for storing the executable instructions of a computer program in one or more of an electronic, magnetic, optical, electromagnetic, and infrared form, such that the instruction execution machine, system, apparatus, or device may read (or fetch) the instructions from the computer-readable medium and execute the instructions for carrying out the described methods. A non-exhaustive list of conventional exemplary computer-readable media includes a portable computer diskette; a random access memory (RAM); a read only memory (ROM); an erasable programmable read only memory (EPROM or Flash memory); optical storage devices, including a portable compact disc (CD), a portable digital video disc (DVD), a high definition DVD (HD-DVD.TM.), and a Blu-ray.TM. disc; and the like.

[0174] Thus, the subject matter described herein may be embodied in many different forms, and all such forms are contemplated to be within the scope of what is claimed. It will be understood that various details may be changed without departing from the scope of the claimed subject matter. Furthermore, the foregoing description is for the purpose of illustration only, and not for the purpose of limitation, as the scope of

protection sought is defined by the claims as set forth hereinafter together with any equivalents.

[0175] All methods described herein may be performed in any order unless otherwise indicated herein explicitly or by context. The use of the terms "a" and "an" and "the" and similar referents in the context of the foregoing description and in the context of the following claims are to be construed to include the singular and the plural, unless otherwise indicated herein explicitly or clearly contradicted by context. The foregoing description is not to be interpreted as indicating that any non-claimed element is essential to the practice of the subject matter as claimed.

I CLAIM:

1. A method, comprising:

detecting movement of a portable electronic device;

receiving video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to a user during motion for directing an attention of the user in connection with the first object.

2. The method of claim 1 wherein information is integrated with the video data, the information for directing the attention of the user to the first object.

3. The method of claim 1 wherein information is integrated with the video data, the information for instructing the user to direct the attention to the first object.

4. The method of claim 1 wherein information is integrated with the video data, the information indicating a location of the first object.

5. The method of claim 1 wherein information is integrated with the video data, the information indicating a direction of the first object.

6. The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating a direction to the first object.

7. The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating a direction to the first object, where a location of the indicia on the display

device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. The method of claim 1 wherein first indicia and second indicia are integrated with the video data, the first indicia indicating a direction to the first object, the second indicia indicating a distance to the first object.

9. The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. The method of claim 8 wherein the first indicia includes a direction indicator.

11. The method of claim 8 wherein the first indicia includes a label.

12. The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a location of the first object.

13. The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a movement of the portable electronic device.

14. The method of claim 1 wherein the video data includes data reflecting a video capture of the first object.

15. The method of claim 1 wherein the video data includes data reflecting a video capture of surroundings of the first object.

16. The method of claim 1 wherein the first object includes a location.

17. The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect movement of the portable electronic device;

receive video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by the display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

20. A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device;

receive video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by a display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

ABSTRACT

Methods and systems are described for detecting movement of a portable electronic device; receiving video data, for a first object, captured by a video capture device during the movement; and utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

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	First Named Inventor	Robert Paul Morris
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	9	7427913	B2	2008-09-23	Maron	Entire Document
	10	7528731	B2	2009-05-05	Zhang et al.	Entire Document
	11	7598927	B2	2009-10-06	Yamazaki et al.	Entire Document
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	2	20050255874	A1	2005-11-17	Stewart-Baxter et al.	Entire Document
	3	20080080741	A1	2008-04-03	Yokoo et al.	Entire Document

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

	4	20080266552	A1	2008-10-30	Malawey et al.	Entire Document
	5	20090271002	A1	2009-10-29	Asofsky	Entire Document
	6	20100156617	A1	2010-06-24	Nakada et al.	Entire Document
	7	20100198491	A1	2010-08-05	Mays	Entire Document

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	File Wrapper for USPAN 13045556	
	2	File Wrapper for USPAN 15595906	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

	3	File Wrapper for USPAN 15921636	
	4	File Wrapper for USPAN 16574026	
	5	File Wrapper for USPAN 62642581	

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Patrick Caldwell/	Date (YYYY-MM-DD)	2020-02-28
Name/Print	Patrick Caldwell	Registration Number	44580

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: FAI.REQ
Document Description: Request First Action Interview

PTO/SB/413C (05-11)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR FIRST ACTION INTERVIEW (FULL PILOT PROGRAM)

Attorney Docket Number: PMOR0091-CIP	Application Number (if known):	Filing date:
First Named Inventor: Robert Paul Morris	Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION	

APPLICANT HEREBY REQUESTS A FIRST ACTION INTERVIEW IN THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

1. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims.

2. The application must not contain any multiple dependent claims.

3. By filing this request:

   Applicant is agreeing to make an election without traverse if the Office determines that the claims are not obviously directed to a single invention; and

   Applicant is agreeing not to request for a refund of the search fee and any excess claims fee paid in the application after the mailing or notification of the pre-interview communication prepared by the examiner.

4. Other attachments: _____

Signature /Patrick Caldwell/	Date 28 Feb 2020
Name (Print/Typed) Patrick Caldwell	Registration Number 44580

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/413C (05-11)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Request for First Action Interview (Full Pilot Program)

(Not to be Submitted to the USPTO)

A grantable request must meet the following conditions:

1. The application must be a new non-reissue utility application filed under 35 U.S.C. 111(a) or an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).

2. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims.

3. The request must be filed electronically using the Office's electronic filing system, EFS-Web.

4. The claims must be directed to a single invention. If the Office determines that the claims are directed to multiple inventions (*e.g.*, in a restriction requirement), the applicant must make an election without traverse.

5. The request must be filed at least one day before a first Office action on the merits of the application appears in the Patent Application Information Retrieval (PAIR) system (*i.e.*, at least one day prior to the date when a first Office action on the merits, notice of allowability or allowance, or action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935) appears in the PAIR system). Applicant may check the status of the application using the PAIR system.

6. The request for a first action interview must include a statement that applicant agrees not to file a request for a refund of the search fee and any excess claims fees paid in the application after the mailing or notification of the Pre-Interview Communication. Any petition for express abandonment under 37 CFR 1.138(d), and request for a refund of the search fee and any excess claims fees, filed after the mailing or notification of the Pre-Interview Communication will not be granted.

For more information, see notice "Full First Action Interview Pilot Program" available on the USPTO web site at http://www.uspto.gov/patents/init_events/faipp_full.jsp

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: TRACK1.REQ
Document Description: TrackOne Request

PTO/AIA/424 (04-14)

CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION UNDER 37 CFR 1.102(e) (Page 1 of 1)

First Named Inventor:	Robert Paul Morris	Nonprovisional Application Number (if known):	
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently $0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.

2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.

3. The applicable box is checked below:

I. ☑ Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)

i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.

---OR---

(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.

ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, **or** the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.

II. ☐ Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)

i. A request for continued examination has been filed with, or prior to, this form.
ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature /Patrick Caldwell/	Date 28 Feb 2020
Name (Print/Typed) Patrick Caldwell	Practitioner Registration Number 44580

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.**

☐ *Total of _____ forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal	
Application Number:	
Filing Date:	
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Filer:	Patrick Edgar Caldwell
Attorney Docket Number:	PMOR0091-CIP

Filed as Small Entity

Filing Fees for Track I Prioritized Examination - Nonprovisional Application under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	75	75
UTILITY SEARCH FEE	2111	1	330	330
UTILITY EXAMINATION FEE	2311	1	380	380
REQUEST FOR PRIORITIZED EXAMINATION	2817	1	2000	2000
Pages:				
Claims:				
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
PROCESSING FEE, EXCEPT PROV. APPLS.	2830	1	70	70
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**2855**

Electronic Acknowledgement Receipt	
EFS ID:	38732099
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	28-FEB-2020
Filing Date:	
Time Stamp:	22:22:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$2855
RAM confirmation Number	E20202RM22542069
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PMOR_POA_vF_28-Feb-2020.pdf	179798 7e9739d0aa1553e3b9e88896eadf6bd33c77fb12	no	1
Warnings:					
Information:					
2	Drawings-only black and white line drawings	PMOR0091_Drawings_vF_28-Feb-2020.pdf	695064 2728c54b0a06feaa4e9d8c183f8d682a332645f6	no	7
Warnings:					
Information:					
3	Oath or Declaration filed	PMOR0091_Oath_signed_vF_28-Feb-2020.pdf	543164 e0d52df65a5f504ec4844f176bc0b4b7e01396e4	no	2
Warnings:					
Information:					
4	Application Data Sheet	PMOR0091-CIP_ADS_vF_28-Feb-2020.pdf	1873887 ac7fedc64d9b4f5cda5373fc0c6955afc7059569	no	9
Warnings:					
Information:					
5		PMOR0091-CIP_Application_vF_28-Feb-2020.pdf	327000 016809607b07bfbf7e2bbb8c5b600847762025f0	yes	78

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	73
Claims	74	77
Abstract	78	78

Warnings:					
Information:					
6	First Action Interview - Enrollment Request	PMOR0091-CIP_FAIPP_vF_28-Feb-2020.pdf	194869 8f803a60a2da6652a71c1b9f01d925bb5314986c	no	3
Warnings:					
Information:					
7	Information Disclosure Statement (IDS) Form (SB08)	PMOR0091-CIP_IDS_20200228_vF.pdf	1053642 82519bf9425f9d1eb2a815da9cb6dda8b5a7e6de	no	6
Warnings:					
Information:					
8	TrackOne Request	PMOR0091-CIP_TRK1_vF_28-Feb-2020.pdf	134064 46bd1e9b5cc7b85992f4b203446932cc91633a63	no	2
Warnings:					
Information:					
9	Non Patent Literature	13045556.pdf	7470941 110b894fb9bc7ae5fe19e4dd721489310cd246f2	no	202
Warnings:					
Information:					
10	Non Patent Literature	15595906.pdf	5346916 e4bc64662a6d79cf4aefc8dbb2b9bcb0887e87ad	no	145
Warnings:					
Information:					
11	Non Patent Literature	15921636.pdf	12829399 076093a7e2fbed1d1533885a20aae070c8f29a8a	no	327
Warnings:					
Information:					
12	Non Patent Literature	16574026.pdf	5203951 78c631fcf7c089a7e15aefd1a8c548d321b17b58	no	130
Warnings:					
Information:					

13	Non Patent Literature	62642581.pdf	3708351 150414afe755bf028ae69bb0fb91a89452c5574d	no	100
Warnings:					
Information:					
14	Fee Worksheet (SB06)	fee-info.pdf	40417 53e4b50faa697abdb9aa5fe9858cdbf3d7a79446	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	39601463		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 16/805,677

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	330		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	380		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	*	x 50 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*	x 230 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	785		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
16/805,677	02/28/2020	2696	785	PMOR0091-CIP	20	3

CONFIRMATION NO. 1967

92045
The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

FILING RECEIPT

OC000000113452047

Date Mailed: 03/18/2020

Receipt is acknowledged of this non-provisional utility patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF FIRST INVENTOR, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection.

Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a corrected Filing Receipt, including a properly marked-up ADS showing the changes with strike-through for deletions and underlining for additions. If you received a "Notice to File Missing Parts" or other Notice requiring a response for this application, please submit any request for correction to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections provided that the request is grantable.

Inventor(s)

Robert Paul Morris, Madison, GA;

Applicant(s)

SITTING MAN, LLC, Madison, GA;

Power of Attorney: The patent practitioners associated with Customer Number 92045

Domestic Priority data as claimed by applicant

This application is a CIP of 16/574,026 09/17/2019
which is a CON of 15/921,636 03/14/2018 ABN
which claims benefit of 62/642,581 03/13/2018
and is a CIP of 15/595,906 05/15/2017 ABN
which is a CIP of 14/195,832 03/03/2014 ABN
which is a CIP of 13/045,556 03/11/2011 ABN

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 03/16/2020
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 16/805,677**
Projected Publication Date: Request for Non-Publication Acknowledged
Non-Publication Request: Yes
Early Publication Request: No
**** SMALL ENTITY ****
Title

METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION

Preliminary Class

348

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 04/03/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
WANG, QUAN ZHEN	

ART UNIT	PAPER NUMBER
2684	

NOTIFICATION DATE	DELIVERY MODE
04/03/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Decision Granting Request for Prioritized Examination (Track I)	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRIAN W BROWN	**Art Unit** OPET	**AIA (FITF) Status** No

1. THE REQUEST FILED 28 February 2020 IS **GRANTED** .

The above-identified application has met the requirements for prioritized examination

A. ☑ for an original nonprovisional application (Track I).
B. ☐ for an application undergoing continued examination (RCE).

2. **The above-identified application will undergo prioritized examination**. The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

A. filing a **petition for extension of time** to extend the time period for filing a reply;

B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims** , or a multiple dependent claim;

C. filing a **request for continued examination** ;

D. filing a notice of appeal;

E. filing a request for suspension of action;

F. mailing of a notice of allowance;

G. mailing of a final Office action;

H. completion of examination as defined in 37 CFR 41.102; or

I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to BRIAN BROWN at (571)272-5338. In his/her absence, calls may be directed to Petition Help Desk at (571) 272-3282.

/BRIAN W BROWN/ Petitions Examiner, OPET	

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PTO-2298 (Rev. 02-2012)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 04/10/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
04/10/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 _____.

☐ 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) 1-20 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) 1-20 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim s 1-4,14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth (US 2017/0213435) in view of Joao et al. (US 9,961,249).

Barth discloses a method comprising detecting movement of a portable electronic device 106 with sensor 304 (par. 25), receiving video data for a first object captured by a video camera during movement (par. 27), and providing a warning to a user of a portable electronic device of detection of an obstacle while device is being used and movement is detected (pars. 27,28), except for specifically stating that video is displayed to user directing attention to detected object.

Joao discloses a method for detecting obstacles near a user of a portable electronic device (col. 1, lines 35-45) and providing a video display to user of detected object as well as an alert regarding the detected object (col. 6, lines 25-30; col. 31, lines 20-30).

It would have been obvious to one of ordinary skill in the art to display video of detected object as suggested by Joao in conjunction with an object detection warning system as disclosed by Barth, in order that a user could have seen exactly where an object was located so as to be able to successfully maneuver around an object without colliding with it.

Regarding claim 2, Joao teaches integrating alert with video display (claim 1).

Regarding claim 3, Joao teaches directing attention to the detected object (col. 6, lines 25-30).

Regarding claim 4, Joao teaches integrating location data with the displayed video (col. 31, lines 44-54).

Regarding claim 14, video in Joao reflects capture of detected object (col. 6, lines 25-30; col. 31, lines 25-30).

Regarding claim 15, Barth teaches detecting surroundings of a user with video camera (par. 22).

Regarding claim 16, Joao teaches correlating detected object with location (col. 31, lines 45-55).

Regarding claims 17-18, since Joao teaches continuously providing video display of surroundings of user of portable electronic device, it would have been obvious to one of ordinary skill in the art to change the video in response to change in movement of the device, since camera positions on the device would have changed with movement of the device.

Regarding claims 19-20, claims are rejected for the same reasons as set forth above with regard to claim 1.

2. Claim s 5,6,8-11 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Taylor et al. (US 2014/0192181).

Barth and Joao disclose a method of indicating obstacles to a user of a portable electronic device, except for specifically stating that information is provided regarding direction to object.

Taylor teaches desirability of providing direction to a detected object in a collision avoidance system in order to allow a user to more easily determine where an object was in relation to the user to avoid contact with the object.

Regarding claim 6, Taylor teaches that direction indicia is integrated with video data or surroundings (par. 87).

Regarding claims 8-11, Taylor teaches providing both indications of distance an direction to a detected obstacle, an icon considered to be an indicator or label (par. 87).

3. Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Misu (US 2019/0071014.

Barth and Joao disclose an object detection indication system for a user of a portable electronic device, except for specifically stating that location of indicia on display is based on relative position between detected object and device.

Misu teaches desirability of displaying location of indicia 304 on display at location based on relative position between detected object 306 and a user device (abstract, Fig. 3).

It would have been obvious to one of ordinary skill in the art to display direction indicia at location on display based on relative position as suggested by Misu in conjunction with an object detection indication system as disclosed by Barth and Joao, in order to allow a user to more easily detect where a detected obstacle was on a user display.

4. Claim s 12-13 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al., and Cheng et al. (US 2017/0337736).

Barth and Joao disclose a method of indicating detected object to a user of a portable electronic device, except for specifically stating that tactile feedback is presented based on location of detected object.

Cheng teaches desirability of providing tactile feedback to make known to a user of a device where a detected object was located (par. 37).

It would have been obvious to one of ordinary skill in the art to use tactile indication of detected object as suggested by Cheng, in conjunction with a method of providing indication to a user of a detected object as disclosed by Barth and Joao, in order to allow a user to detect object location accurately even if user was in a noisy or visually compromised area where audible or visual warnings were ineffective.

Regarding claim 13, since Joao teaches that video data and warning data can be outputted simultaneously, it would have been obvious to one of ordinary skill in the art to output tactile warning simultaneously with displayed video as well, so that user could have been prompted to look at display to see exact location of a detected object so as to better avoid colliding with the object.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shimizu discloses a detected object display system.

6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of References Cited	Application/Control No. 16/805,677	Applicant(s)/Patent Under Reexamination Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20160144785-A1	05-2016	SHIMIZU; Hirokazu	B60R11/02	340/435
*	B	US-20170337736-A1	11-2017	CHENG; JENG-CHIEH	G02B27/017	1/1
*	C	US-20190071014-A1	03-2019	MISU; Teruhisa	G06K9/00805	1/1
*	D	US-20140192181-A1	07-2014	Taylor; David W.	B60C23/0408	348/118
*	E	US-9961249-B2	05-2018	Joao; Gregory Thomas	G01C21/3679	1/1
*	F	US-20170213435-A1	07-2017	BARTH; HANS-JOACHIM	G01S13/867	1/1
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	Date	Examiner
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
340	439	04/07/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								
	15	✓								
	16	✓								
	17	✓								
	18	✓								
	19	✓								
	20	✓								

Bibliographic Data

Application No: 16/805,677

Foreign Priority claimed: ○ Yes ◉ No

35 USC 119 (a-d) conditions met: ☐ Yes ☑ No ☐ Met After Allowance

Verified and Acknowledged: /BRENT SWARTHOUT/ (Examiner's Signature) | (Initials)

Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
02/28/2020	340	2689	PMOR0091-CIP
RULE			

APPLICANTS

SITTING MAN, LLC, Madison, GA,

INVENTORS

Robert Paul Morris Madison, GA, UNITED STATES

CONTINUING DATA

This application is a CIP of 16574026 09/17/2019

16574026 is a CON of 15921636 03/14/2018ABN

15921636 has PRO of 62642581 03/13/2018

15921636 is a CIP of 15595906 05/15/2017ABN

15595906 is a CIP of 14195832 03/03/2014ABN

14195832 is a CIP of 13045556 03/11/2011ABN

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

03/16/2020

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229
UNITED STATES

FILING FEE RECEIVED

$2,855

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed
PTO/SB/08a (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	
First Named Inventor	Robert Paul Morris
Art Unit	
Examiner Name	
Attorney Docket Number	PMOR0091-CIP

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	5661454	A	1997-08-26	Bezard et al.	Entire Document
	2	5850176	A	1998-12-15	Kinoshita et al.	Entire Document
	3	6496117	B2	2002-12-17	Gutta et al.	Entire Document
	4	6724538	B2	2004-04-20	Kushida et al.	Entire Document
	5	6927694	B1	2005-08-09	Smith et al.	Entire Document
	6	7174248	B2	2007-02-06	Suzuki	Entire Document
	7	7260458	B2	2007-08-21	Kato et al.	Entire Document
	8	7403124	B2	2008-07-22	Arakawa et al.	Entire Document

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

	9	7427913	B2	2008-09-23	Maron	Entire Document
	10	7528731	B2	2009-05-05	Zhang et al.	Entire Document
	11	7598927	B2	2009-10-06	Yamazaki et al.	Entire Document
	12	7705738	B2	2010-04-27	Fukaya et al.	Entire Document
	13	7710243	B2	2010-05-04	Akatsuka et al.	Entire Document
	14	7859413	B2	2010-12-28	Nguyen	Entire Document

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U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20010056544	A1	2001-12-27	Walker	Entire Document
	2	20050255874	A1	2005-11-17	Stewart-Baxter et al.	Entire Document
	3	20080080741	A1	2008-04-03	Yokoo et al.	Entire Document

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /B.S/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

	4	20080266552	A1	2008-10-30	Malawey et al.	Entire Document
	5	20090271002	A1	2009-10-29	Asofsky	Entire Document
	6	20100156617	A1	2010-06-24	Nakada et al.	Entire Document
	7	20100198491	A1	2010-08-05	Mays	Entire Document

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FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2]i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							

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NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1	File Wrapper for USPAN 13045556	
	2	File Wrapper for USPAN 15595906	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

	3	File Wrapper for USPAN 15921636	
	4	File Wrapper for USPAN 16574026	
	5	File Wrapper for USPAN 62642581	

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EXAMINER SIGNATURE

Examiner Signature	/BRENT SWARTHOUT/	Date Considered	04/07/2020

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Robert Paul Morris
	Art Unit	
	Examiner Name	
	Attorney Docket Number	PMOR0091-CIP

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Patrick Caldwell/	Date (YYYY-MM-DD)	2020-02-28
Name/Print	Patrick Caldwell	Registration Number	44580

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

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4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

Courtesy Reminder for
Application Serial No: 16/805,677

Attorney Docket No: PMOR0091-CIP
Customer Number: 92045
Date of Electronic Notification: 04/10/2020

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
pcaldwell@thecaldwellfirm.com
eofficeaction@appcoll.com

To view your correspondence online or update your email addresses, please visit us anytime at **https://ppair-my.uspto.gov/pair/PrivatePair.**
If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

Electronic Acknowledgement Receipt	
EFS ID:	39348471
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	04-MAY-2020
Filing Date:	28-FEB-2020
Time Stamp:	21:56:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	PMOR0091-CIP_ROA_vF_04-May-2020.pdf	77384 05b1276c56b23c633f3b8b88940273e4cd5c8390	no	8

Warnings:

Information:	
Total Files Size (in bytes):	77384

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 5/4/2020

AMENDMENT

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

Examiner:

In response to the communication mailed 2020-04-10, please consider the following believed to place the claims in condition for allowance.

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

1. (Previously Presented) A method, comprising:

detecting movement of a portable electronic device;

receiving video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to a user during motion for directing an attention of the user in connection with the first object.

2. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information for directing the attention of the user to the first object.

3. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information for instructing the user to direct the attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information indicating a location of the first object.

5. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information indicating a direction of the first object.

6. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating a direction to the first object.

7. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating a direction to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Previously Presented) The method of claim 1 wherein first indicia and second indicia are integrated with the video data, the first indicia indicating a direction to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a location of the first object.

13. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a movement of the portable electronic device.

14. (Previously Presented) The method of claim 1 wherein the video data includes data reflecting a video capture of the first object.

15. (Previously Presented) The method of claim 1 wherein the video data includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Previously Presented) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect movement of the portable electronic device;

receive video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by the display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

20. (Previously Presented) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device;

receive video data, for a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by a display device of the portable electronic device that is viewable to a user for directing an attention of the user in connection with the first object.

Remarks:

Claims 1-4, 14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth (US 2017/0213435) in view of Joao et al. (US 9,961,249). Claims 5, 6, 8-11 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Taylor et al. (US 2014/0192181). Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et aL and Misu (US 2019/0071014).

Following is the claimed priority/effective earliest filing date for the following references (emphasis added):

Barth (US 2017/0213435) - "The present application is a continuation of U.S. patent application Ser. No. 14/817,830 filed **Aug. 4, 2015**, the entire disclosure of which is incorporated herein by reference."

Joao et al. (US 9,961,249) – "This application is a continuation-in-part application of U.S. patent application Ser. No. 14/025,865, filed **Sep. 13, 2013**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety. U.S. patent application Ser. No. 14/025,865 claims the benefit of the priority of U.S. Provisional Patent Application Ser. No. 61/744,022, filed **Sep. 17, 2012**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety. This application also claims the benefit of the priority of U.S. Provisional Patent Application Ser. No. 61/744,659, filed **Oct. 1, 2012**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety."

Misu (US 2019/0071014) - "**September 1, 2017"**

The instant application claims priority to the following applications (emphasis added):

'[0001]This application is a continuation-in-part of U.S. Patent Application No. 16/574,026, filed September 17, 2019, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," is a continuation of U.S. Patent Application No. 15/921,636, filed March 14, 2018, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which is a continuation-in-part of U.S. Patent Application No. 15/595,906, filed May 15, 2017, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which is a continuation of U.S. Patent Application No. 14/195,832, filed March 3, 2014, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING STEERING-CONTROL FEEDBACK TO AN OPERATOR OF AN AUTOMOTIVE VEHICLE," which is a continuation of U.S. Patent Application No. 13/045,556, filed on **March 11, 2011**, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION".'

Thus, the above Barth, Joao, and Misu references are not prior art.

A notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this

reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 04 May 2020

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Reg. No. 44,580

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	05/04/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/CHANTAE S DESSAU/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 05/18/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
05/18/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	Application No. 16/805,677	Applicant(s) Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	AIA (FITF) Status No

-- 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 5-4-20.

☐ 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) 1-20 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) 1-20 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim s 1-4,14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth (US 2017/0213435) in view of Joao et al. (US 9,961,249).

Barth discloses a method comprising detecting movement of a portable electronic device 106 with sensor 304 (par. 25), receiving video data for a first object captured by a video camera during movement (par. 27), and providing a warning to a user of a portable electronic device of detection of an obstacle while device is being used and movement is detected (pars. 27,28), except for specifically stating that video is displayed to user directing attention to detected object.

Joao discloses a method for detecting obstacles near a user of a portable electronic device (col. 1, lines 35-45) and providing a video display to user of detected object as well as an alert regarding the detected object (col. 6, lines 25-30; col. 31, lines 20-30).

It would have been obvious to one of ordinary skill in the art to display video of detected object as suggested by Joao in conjunction with an object detection warning system as disclosed by Barth, in order that a user could have seen exactly where an object was located so as to be able to successfully maneuver around an object without colliding with it.

Regarding claim 2, Joao teaches integrating alert with video display (claim 1).

Regarding claim 3, Joao teaches directing attention to the detected object (col. 6, lines 25-30).

Regarding claim 4, Joao teaches integrating location data with the displayed video (col. 31, lines 44-54).

Regarding claim 14, video in Joao reflects capture of detected object (col. 6, lines 25-30; col. 31, lines 25-30).

Regarding claim 15, Barth teaches detecting surroundings of a user with video camera (par. 22).

Regarding claim 16, Joao teaches correlating detected object with location (col. 31, lines 45-55).

Regarding claims 17-18, since Joao teaches continuously providing video display of surroundings of user of portable electronic device, it would have been obvious to one of ordinary skill in the art to change the video in response to change in movement of the device, since camera positions on the device would have changed with movement of the device.

Regarding claims 19-20, claims are rejected for the same reasons as set forth above with regard to claim 1.

2. Claim s 5,6,8-11 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Taylor et al. (US 2014/0192181).

Barth and Joao disclose a method of indicating obstacles to a user of a portable electronic device, except for specifically stating that information is provided regarding direction to object.

Taylor teaches desirability of providing direction to a detected object in a collision avoidance system in order to allow a user to more easily determine where an object was in relation to the user to avoid contact with the object.

Regarding claim 6, Taylor teaches that direction indicia is integrated with video data or surroundings (par. 87).

Regarding claims 8-11, Taylor teaches providing both indications of distance an direction to a detected obstacle, an icon considered to be an indicator or label (par. 87).

3. Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Misu (US 2019/0071014.

Barth and Joao disclose an object detection indication system for a user of a portable electronic device, except for specifically stating that location of indicia on display is based on relative position between detected object and device.

Misu teaches desirability of displaying location of indicia 304 on display at location based on relative position between detected object 306 and a user device (abstract, Fig. 3).

It would have been obvious to one of ordinary skill in the art to display direction indicia at location on display based on relative position as suggested by Misu in conjunction with an object detection indication system as disclosed by Barth and Joao, in order to allow a user to more easily detect where a detected obstacle was on a user display.

4. Claim s 12-13 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al., and Cheng et al. (US 2017/0337736).

Barth and Joao disclose a method of indicating detected object to a user of a portable electronic device, except for specifically stating that tactile feedback is presented based on location of detected object.

Cheng teaches desirability of providing tactile feedback to make known to a user of a device where a detected object was located (par. 37).

It would have been obvious to one of ordinary skill in the art to use tactile indication of detected object as suggested by Cheng, in conjunction with a method of providing indication to a user of a

detected object as disclosed by Barth and Joao, in order to allow a user to detect object location accurately even if user was in a noisy or visually compromised area where audible or visual warnings were ineffective.

Regarding claim 13, since Joao teaches that video data and warning data can be outputted simultaneously, it would have been obvious to one of ordinary skill in the art to output tactile warning simultaneously with displayed video as well, so that user could have been prompted to look at display to see exact location of a detected object so as to better avoid colliding with the object.

5. The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application). The disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of 35 U.S.C. 112(a) or the first paragraph of pre-AIA 35 U.S.C. 112, except for the best mode requirement. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994)

The disclosure of the prior-filed application, Application No. 13/045,556, fails to provide adequate support or enablement in the manner provided by 35 U.S.C. 112(a) or pre-AIA 35 U.S.C. 112, first paragraph for one or more claims of this application. The above cited application fails to disclose presenting a video by a display device viewable by a user during motion for directing an attention of the user in connection with a first object. Since applicant's representative states in response filed 5-4-20 that application 13/045,556 is a continuation of application nos. 14/195,832 and 15/595,906, these applications do not provide support for the claim limitations cited above. Therefore, the earliest possible application that could support such limitations is application SN 15/921,636 with a filing date of March 14, 2018. All applied references in the rejection have priority dates prior to March 14, 2018, and are therefore valid prior art against the currently filed claims.

6. Regarding remarks filed with the response on 5-4-20, applicant's representative states that applied references are not valid prior art, but currently filed claim language does not have support in prior applications that have a filing date prior to the priority date of the references used in the rejections, and therefore, as stated above in paragraph No. 5, references applied in the current rejection are valid prior art.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	Date	Examiner
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	15/595,906	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:06
L2	1	14/195,832	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:10
L3	3	13/045,556	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:11
L4	1	"20120229378".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:12
L5	3	user same motion same directing same attention same object same video	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:14
L6	0	4 and 5	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/11 06:14

5/11/2020 6:47:22 AM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	3	13/045,556	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/07 11:20
L2	1	"20120229378".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/07 11:22
L3	347	(video with display) and (directing with attention with user)	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/07 11:23
L4	0	2 and 3	US-PGPUB; USPAT; USOCR	OR	ON	2020/05/07 11:23

5/7/2020 11:24:18 AM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2689 Docket No.: PMOR0091-CIP Date: 5/22/2020

AMENDMENT

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

Examiner:

In response to the communication mailed 2020-05-18, please consider the following believed to place the claims in condition for allowance.

Electronic Acknowledgement Receipt

EFS ID:	39525071
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	22-MAY-2020
Filing Date:	28-FEB-2020
Time Stamp:	20:22:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Response After Final Action	PMOR0091-CIP_ROA_vF_22-May-2020.pdf	133448 7620f53f7ef7872c995017937f81eb583b5421b5	no	6

Warnings:

Information:	
Total Files Size (in bytes):	133448

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2689 Docket No.: PMOR0091-CIP Date: 5/22/2020

AMENDMENT

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

Examiner:

In response to the communication mailed 2020-05-18, please consider the following believed to place the claims in condition for allowance.

Remarks:

The Examiner has argued that "[t]he disclosure of the prior-filed application, Application No. 13/045,556, fails to provide adequate support or enablement in the manner provided by 35 U.S.C. 112(a) or pre-AIA 35 U.S.C. 112, first paragraph for one or more claims of this application. The above cited application fails to disclose presenting a video by a display device viewable by a user during motion for directing an attention of the user in connection with a first object. Since applicant's representative states in response filed 5-4-20 that application 13/045,556 is a continuation of application nos. 14/195,832 and 15/595,906, these applications do not provide support for the claim limitations cited above. Therefore, the earliest possible application that could support such limitations is application SN 15/921,636 with a filing date of March 14, 2018. All applied references in the rejection have priority dates prior to March 14, 2018, and are therefore valid prior art against the currently filed claims."

Applicant respectfully disagrees. In response, applicant cites the figures and paragraphs below (emphasis added, if any) of 13/045,556 (published as US 2012-0229378 A1) which are identical to the disclosure of the instant application. These citations provide examples of the claim terms at issue. It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

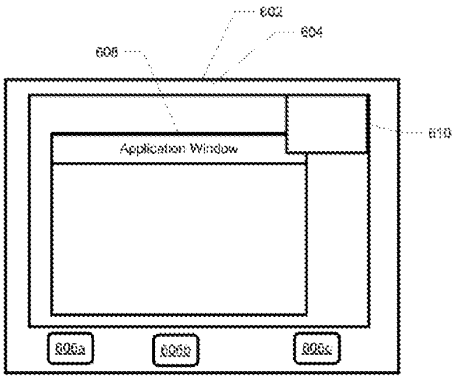


Fig. 6

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates PED 602 including a presentation space 604 of a display device included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. The user of PED 602 may be walking and interacting with the application via output presented via application window 608 and/or one or more input controls 606. An attention condition component 425 in and/or otherwise operatively coupled to PED 602 may determine that an attention criterion is met. Attention information including captured image data may be sent, in response, to present attention output 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602**. **Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**. Attention outputs may take any suitable form, some of which are described above. In FIG. 6, attention output 610 may present an image based on infrared image data captured by an infrared camera and/or a low-light image capture device.

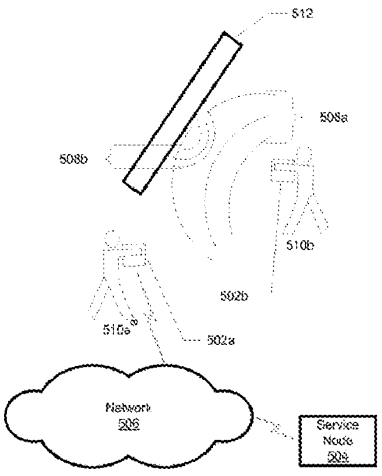


Fig. 5

[0130] In FIG. 4a, attention director component 408a may interoperate with presentation subsystem 417a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from an object in front of the user, based on a met attention criterion. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

Claims 1-4, 14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth (US 2017/0213435) in view of Joao et al. (US 9,961,249). Claims 5, 6, 8-11 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et al. and Taylor et al. (US 2014/0192181). Claim 7 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Barth in view of Joao et aL and Misu (US 2019/0071014).

Following is the claimed priority/effective earliest filing date for the following references (emphasis added):

Barth (US 2017/0213435) - "The present application is a continuation of U.S. patent application Ser. No. 14/817,830 filed **Aug. 4, 2015**, the entire disclosure of which is incorporated herein by reference."

Joao et al. (US 9,961,249) – "This application is a continuation-in-part application of U.S. patent application Ser. No. 14/025,865, filed **Sep. 13, 2013**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety. U.S. patent application Ser. No. 14/025,865 claims the benefit of the priority of U.S. Provisional Patent Application Ser. No. 61/744,022, filed **Sep. 17, 2012**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety. This application also claims the benefit of the priority of U.S. Provisional Patent Application Ser. No. 61/744,659, filed **Oct. 1, 2012**, and entitled "APPARATUS AND METHOD FOR PROVIDING A WIRELESS, PORTABLE, AND/OR HANDHELD, DEVICE WITH SAFETY FEATURES", the subject matter and teachings of which are hereby incorporated by reference herein in their entirety."

Misu (US 2019/0071014) - "**September 1, 2017"**

The instant application claims priority to the following applications (emphasis added):

'[0001]This application is a continuation-in-part of U.S. Patent Application No. 16/574,026, filed September 17, 2019, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," is a continuation of U.S. Patent Application No. 15/921,636, filed March 14, 2018, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which is a continuation-in-part of U.S. Patent Application No. 15/595,906, filed May 15, 2017, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," which is a continuation of U.S. Patent Application No. 14/195,832, filed March 3, 2014, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING STEERING-CONTROL FEEDBACK TO AN OPERATOR OF AN AUTOMOTIVE VEHICLE," which is a continuation of U.S. Patent Application No. 13/045,556, filed on **March 11, 2011**, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION".'

Thus, the above Barth, Joao, and Misu references are not prior art.

A notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 22 May 2020

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 06/02/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
06/02/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 May 2020 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☑ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☑ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection.The current period for reply expires ____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____ (See 37CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicants reply has overcome the following rejection(s): _____
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s):(a)☐ will not be entered, or (b)☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed:_____.
    Claim(s) objected to:_____.
    Claim(s) rejected:1-20.
    Claim(s) withdrawn from consideration:_____.

/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	

Continuation of REQUEST FOR RECONSIDERATION/OTHER 12. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Applicant's representative states that specification contains proper support for the claimed invention and cites portions of the specification relating to Figs. 4a and Fig. 6. However, the portion in the specification relating to Fig. 4a makes no reference to a video viewable during motion directing an attention of user in connection with an object in the video. Also, recitation pertaining to Fig. 6 relates to "attention information" sent to direct attention of the user in response to attention output 610, which can be a video . However, it is the attention output 610 that includes a video, not the attention information which directs attention of the user. Thus, as set forth in at least claim 1, the specification does not provide support for presenting a video by a display device viewable by a user during motion for directing an attention of the user in connection with a first object in the video.

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	16/805,677	Filing Date	2020-02-28	Docket Number (if applicable)	PMOR0091-CIP	Art Unit	2689
First Named Inventor	Robert Paul Morris			Examiner Name	Brent SWARTHOUT		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 504964

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Patrick Caldwell/	Date (YYYY-MM-DD)	2020-06-05
Name	Patrick Caldwell	Registration Number	44580

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal	
Application Number:	16805677
Filing Date:	28-Feb-2020
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Filer:	Patrick Edgar Caldwell
Attorney Docket Number:	PMOR0091-CIP
Filed as Small Entity	
Filing Fees for Utility under 35 USC 111(a)	

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 1ST REQUEST	2801	1	650	650
		Total in USD ($)		**650**

Electronic Acknowledgement Receipt	
EFS ID:	39646905
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	05-JUN-2020
Filing Date:	28-FEB-2020
Time Stamp:	22:24:38
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$650
RAM confirmation Number	E202065M26068206
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	PMOR0091-CIP_RCE_20200605_vF.pdf	1364037 cf0b8d750018a9a7f6e4d3772d6f2475ebb23fa0	no	3
Warnings:					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	PMOR0091-CIP_ROA_RCE_vF_05-Jun-2020.pdf	74747 a2fc2659161892a3aa7a5d390b2a18f450177fc3	no	5
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30759 28f39973ad9153d40dab91098205702768d8606f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1469543		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 6/5/2020

AMENDMENT WITH A REQUEST FOR CONTINUED EXAMINATION (RCE)

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

Examiner:

In response to the Advisory Action mailed 2020-06-02 and the Final Office Action mailed 2020-05-18, please consider the following believed to place the claims in condition for allowance.

Remarks:

In the Advisory Action mailed 2020-06-02, the Examiner has stated that '[t]he request for reconsideration has been considered but does NOT place the application in condition for allowance because: Applicant's representative states that specification contains proper support for the claimed invention and cites portions of the specification relating to Figs. 4a and Fig. 6. However, the portion in the specification relating to Fig. 4a makes no reference to a video viewable during motion directing an attention of user in connection with an object in the video.'

Applicant respectfully disagrees. In response, applicant cites the figures and paragraphs below (emphasis added, if any) of 13/045,556 (published as US 2012-0229378 A1). These citations provide examples of the claim terms at issue. It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

Specifically, applicant points out that previously-cited paragraph [0130] discloses that "attention information" is sent to an output device to present "attention output."

> [0130] In FIG. 4a, attention director component 408a may interoperate with presentation subsystem 417a, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object. For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from an object in front of the user, based on a met attention criterion.** Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

Further, paragraphs [0040] and [0062] disclose that the aforementioned "attention information" (which causes presentation of the "attention output) may include "presentation information" which, in turn, is disclosed to include video.

> [0062] ... **Attention information may identify and/or may include presentation information that includes a representation of an attention output**, in one aspect.
>
> [0040] ...**Presentation information may include and/or may otherwise identify data in one or more formats. Exemplary formats include image formats such as JPEG, video formats such as MP4,** markup language data such as hypertext markup language (HTML) and other XML-based markup, a bit map, and/or instructions such as those defined by various script languages, byte code, and/or machine code.

This is further supported by paragraph [0122] which discloses that the image capture device 427a in FIG. 4a may include a video capture device.

> [0122] FIG**. 4 a and FIG. 4 b illustrate capture subsystems 415 configured to interoperate with one or more capture devices**, as illustrated by image capture device 427 a in FIG. 4 a. **Exemplary capture devices include** still image capture devices and **video capture devices**...

In the Advisory Action mailed 2020-06-02, the Examiner continues by arguing that '[a]lso, recitation pertaining to Fig. 6 relates to "attention information" sent to direct attention of the user in response to attention output 610, which can be a video. However, it is the attention output 610 that includes a video, not the attention information which directs attention of the user. Thus, as set forth in at least claim 1, the specification does not provide support for presenting a video by a display device viewable by a user during motion for directing an attention of the user in connection with a first object in the video.'

Applicant respectfully disagrees. As set forth in the above-cited paragraphs [0040] and [0062], the aforementioned "attention information" (which causes presentation of the "attention output) may include "presentation information" which, in turn, is disclosed to include video-formatted information.

In conclusion, applicant respectfully points to the excerpt below from original claim 19 of US 2012-0229378 A1 (emphasis added). See MPEP 608.01(l) regarding Original Claims.

> 19. A system ...

the **attention director** component configured for sending...**the image data for presenting an image of the first object by a display device that is viewable to the user during the motion**.

Applicant respectfully asserts that, per previously-cited paragraph [0135], '[t]he **image may be included in** a still image and/or **in a video** presented in attention output 610.'

Thus, when this is taken into account in connection with the above-cited disclosures, there is clear support for the now claimed "presenting a video by a display device of the portable electronic device that is viewable to a user during motion for directing an attention of the user in connection with the first object."

A notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 05 Jun 2020

Patrick E. Caldwell, Esq.
Reg. No. 44,580

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pcaldwell@thecaldwellfirm.com

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	06/05/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	06/05/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/TRINA RIDDICK/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 06/15/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
06/15/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	Application No. 16/805,677	Applicant(s) Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	AIA (FITF) Status No

-- 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 6-5-20.

☐ 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) 1-20 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) 1-20 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim s 1-7,14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 2006/0192660) in view of Durucan et al. (US 2007/0147660) and Kertes (US 7,289,019) .

Watanabe discloses an image capture obstacle detection system comprising detecting movement of obstacle with respect to process means 131, receiving image data of detected obstacle and displaying on a display device for directing attention of a user to the displayed obstacle (pars. 61,87,98,78,79, Figs. 23,24), except for specifically stating that image data is video data or that object detection is from a portable electronic device. It is noted that detection device 131 of Watanable is portable since it is installed in a vehicle.

Durucan teaches desirability of using a cell phone to detect objects with a camera to avoid collisions (par. 10, pars. 17,30).

Kertes teaches desirability of detecting objects around a vehicle using video camera (claim 1, fig. 3).

It would have been obvious to one of ordinary skill in the art to use video camera and portable electronic device to detect objects around a vehicle as suggested by Kertes and Durucan, in conjunction with an obstacle detection system as disclosed by Watanabe, in order to obtain inexpensive object detection capability with good accuracy with low installation cost.

Regarding claims 2-5, Kertes teaches integrating direction and location of object with respect to video display (claim 1, Fig. 3).

Regarding claims 6-7, Watanabe discloses display of indicia box (Figs. 23,24) indicating direction to and location of detected object (pars. 80,83).

Regarding claims 14-15, Kertes discloses video reflecting capture of first object (Fig. 3).

Regarding claim 16, object includes location with respect to vehicle in Watanable (Figs. 23,24).

Regarding claims 17-18, movement of electronic device with respect to object causes updating of video presentation (Fig. 3, claim 1).

Claims 19-20 are rejected for the same reasons as set forth above with regard to claim 1.

2. Claim s 8-10 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. , Durucan et al., Kertes and Chen et al. (US 6,326,915).

Watanabe, Durucan and Kertes disclose a portable electronic device obstacle detection system with imaging as set forth above with regard to claim 1, except for specifically stating that first and second indicia relating to distance and direction are integrated with an image.

Chen teaches desirability of integrating indicia representing distance and direction with an obstacle detection image (Fig. 6, Col. 4, lines 48-67).

It would have been obvious to one of ordinary skill in the art to use direction and distance indicia as suggested by Chen in conjunction with an obstacle detection system as disclosed by Watanable, Durucan and Kertes, in order that a driver could have known with precision exactly how far away from an obstacle that a vehicle was.

Claims 9-10 are rejected for the same reasons as set forth above with regard to claim 8.

3. Claim 11 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. , Durucan et al., Kertes and Zhu et al. (US. 9,122,948).

Watanabe, Durucan and Kertes disclose a portable electronic device obstacle detection system with imaging as set forth above with regard to claim 1, except for specifically stating that indicia includes a label.

Zhu teaches desirability of providing a label for a detected displayed obstacle surrounding a vehicle (Fig. 11, col.12, lines 27-34; col. 13, lines 24-35).

It would have been obvious to one of ordinary skill in the art to include labels with detected objects as suggested by Zhu in conjunction with an obstacle detection display system as disclosed by Watanabe, Durucan and Kertes, in order that an observer could have told at a quick glance what type of object was detected.

4. Claim s 12-13 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. , Durucan et al., Kertes and Wagner et al. (US 6,100,796).

Watanabe, Durucan and Kertes disclose a portable electronic device obstacle detection system with imaging as set forth above with regard to claim 1, except for specifically stating that tactile feedback is provided. It is noted that Watanable teaches desirability of providing additional audible alert when object display is indicated to ensure user detection of alert.

Wagner further teaches desirability of providing an acoustic and optical and haptic alert upon detection of an obstacle near a vehicle (col. 3, lines 7-10).

It would have been obvious to one of ordinary skill in the art to provide a haptic alert upon sensing detected obstacle near a vehicle as suggested by Wagner in conjunction with an obstacle detection system as disclosed by Watanabe, Durucan and Kertes, in order that a hearing impaired individual could have had additional stimuli presented to ensure that an object detected in an image was noticed by a user.

Claim 13 is rejected for the same reasons as set forth above with regard to claim 12.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zhao and Leblang disclose object detection device displays.

6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of References Cited	Application/Control No. 16/805,677	Applicant(s)/Patent Under Reexamination Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20190087662-A1	03-2019	ZHAO; KANG KAI	H04N7/188	1/1
*	B	US-8953841-B1	02-2015	Leblang; Jonathan A.	G06K9/00671	345/633
*	C	US-20070147660-A1	06-2007	Durucan; Emrullah	G08G1/16	382/104
*	D	US-9122948-B1	09-2015	Zhu; Jiajun	G05D1/0214	1/1
*	E	US-20060192660-A1	08-2006	Watanabe; Kazuya	B60R1/00	340/435
*	F	US-6100796-A	08-2000	Wagner; Armin	G01S15/931	340/435
*	G	US-6326915-B1	12-2001	Chen; Shin-Chung	G01S13/867	342/71
*	H	US-7289019-B1	10-2007	Kertes; Jon	B60Q9/008	340/435
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	breathylizer with driver	USPAT	OR	OFF	2020/06/09 08:07
L2	0	breathylizer same driver	USPAT	OR	OFF	2020/06/09 08:07
L3	67	windshear with warning	USPAT	OR	OFF	2020/06/09 08:08
L4	96	vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same (direction near10 indicat$3) same display$3	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 08:24
L5	3,035	(vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same display$3) and ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 08:57
L6	834	(vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same display$3) same ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 08:58
L7	39	(vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same display$3) same ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device)) same direction	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 08:59
L8	1,460	(vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2)) same ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 09:06
L9	3,731	(((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same display$3) same ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 09:11
L10	25	(((object or obstacle) near3 detect$3) same (video or imaging or image or	US-PGPUB;	OR	ON	2020/06/09 09:12

		photograph$2) same display$3) same ((portable or mobile or cellular or cell or smart or electronic) near3 (phone or telephone or device)) same (collide or colliding or collision or bumping)	USPAT; USOCR			
L11	84	(((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same display$3) same (direction near5 (object or obstacle)) same (collide or colliding or collision or bumping)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 09:20

6/9/2020 9:47:59 AM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	breathylizer with driver	USPAT	OR	OFF	2020/06/09 08:07
L2	0	breathylizer same driver	USPAT	OR	OFF	2020/06/09 08:07
L3	67	windshear with warning	USPAT	OR	OFF	2020/06/09 08:08
L4	96	vehicle same ((object or obstacle) near3 detect$3) same (video or imaging or image or photograph$2) same (direction near10 indicat$3) same display$3	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 08:24

6/9/2020 8:53:38 AM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	"20060192660".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 12:58
L2	977	(vehicle same ((object or obstacle) near3 detect$3)) same (video or imaging) same display$3 same (alert$3 or warning or alarm)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:11
L3	47	(vehicle same ((object or obstacle) near3 detect$3)) same (distance with direction with display$3) same (alert$3 or warning or alarm)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:29
L4	41	(vehicle same ((object or obstacle) near3 detect$3)) same (distance with direction with indicat$3) same display$3	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:35
L5	311	((vehicle same ((object or obstacle) near3 detect$3))) and ((distance with direction with indicat$3) same display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:36
L6	224	((vehicle same ((object or obstacle) near3 detect$3))) and ((label with indicat$3) same display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:44
L7	410	((vehicle same ((object or obstacle) near3 detect$3))) same ((haptic$4 or tactile$2) with (alert or alarm or warning))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 13:55

6/9/2020 1:59:22 PM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	12,704	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (object or obstacle)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner or running))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:19
L2	3,134	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (object or obstacle) with captur$3) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:21
L3	3	((movement or moving or move or motion) with ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same ((video or image or imaging or photograph$2) with (object or obstacle) with captur$3) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner) with attention)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:24
L4	632	((movement or moving or move or motion) with ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same ((video or image or imaging or photograph$2) with (object or obstacle) with captur$3) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:26
L5	13	(((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same ((video or image or imaging or photograph$2) with (object or obstacle) with captur$3) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner) with attention)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:27

L6	6	((movement or moving or move or motion) with ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same ((video or image or imaging or photograph$2) with (object or obstacle)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner) with attention)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:28
L7	1,693	((movement or moving or move or motion) with ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same ((video or image or imaging or photograph$2) with (object or obstacle)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:30
L8	632	((movement or moving or move or motion) with ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) same (captur$3 with (video or image or imaging or photograph$2) with (object or obstacle)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:31
L9	174	(((movement or moving or move or motion) near10 ((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device))) with (captur$3 with (video or image or imaging or photograph$2) with (object or obstacle))) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner))	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:33
L10	16	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (object or obstacle)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner or running)) same (collision near3 avoid$4)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:46
L11	9	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:51

		(surrounding or environment)) same ((presenting or presentation or display$3 or showing) with (user or pedestrian or walker or person or jogger or jogging or runner or running)) same (collision near3 avoid$4)				
L12	0	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (surrounding or environment or object or obstacle)) same ((presenting or presentation or display$3 or showing) with attention with direction) same ((collision near3 avoid$4) or colliding or bumping)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:54
L13	0	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (surrounding or environment or object or obstacle)) same ((presenting or presentation or display$3 or showing) with attention) same ((collision near3 avoid$4) or colliding or bumping)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:54
L14	64	((cellular or cell or smart or portable or mobile or electronic) near3 (phone or telephone or device)) same ((video or image or imaging or photograph$2) with (surrounding or environment or object or obstacle)) same ((presenting or presentation or display$3 or showing)) same ((collision near3 avoid$4) or colliding or bumping)	US-PGPUB; USPAT; USOCR	OR	ON	2020/06/09 06:55

6/9/2020 7:02:58 AM

Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
CLAIMS IN EXCESS OF 20		2202	2	50	100
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**100**

Electronic Acknowledgement Receipt	
EFS ID:	39821629
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	24-JUN-2020
Filing Date:	28-FEB-2020
Time Stamp:	23:35:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$100
RAM confirmation Number	E20206NN35491278
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	PMOR0091-CIP_ROA_vF_24-Jun-2020.pdf	91116 c0b6827ea2304c8117c22d0eb795032752a178ff	no	10
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30648 bae3c54127f9e0d86546278bdf35a7d0ed7f00c7	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	121764		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 6/24/2020

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2020-06-15, please consider the following believed to place the claims in condition for allowance.

CLAIMS

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data, [[for]]that does not initially include a first object, captured by a video capture device during the movement; and

utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to [[a]]the user ~~during motion~~ for directing ~~an attention of~~ the user in ~~connection with~~ a second direction towards the first object, where the first object is not initially presented in the video.

2. (Currently Amended) The method of claim 1 wherein information is integrated with the video data, the information for directing [[the]]an attention of the user to the first object.

3. (Currently Amended) The method of claim 1 wherein information is integrated with the video data, the information for instructing the user to direct [[the]]an attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information indicating a location of the first object.

5. (Currently Amended) The method of claim 1 wherein information is integrated with the video data, the information including directional information indicating [[a]] directions to [[of]] the first object.

6. (Currently Amended) The method of claim 1 wherein indicia is integrated with the video data, the indicia including directional information indicating [[a]] directions to the first object.

7. (Currently Amended) The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating [[a]] directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Currently Amended) The method of claim 1 wherein first indicia and second indicia are integrated with the video data, the first indicia indicating [[a]] directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a location of the first object.

13. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Previously Presented) The method of claim 1 wherein the video data includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Currently Amended) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data, [[for]]that does not initially include a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by the display device of the portable electronic device that is viewable to [[a]]the user for directing ~~an attention of~~ the user in ~~connection with~~ a second direction towards the first object, where the first object is not initially presented in the video.

20. (Currently Amended) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data, [[for]]that does not initially include a first object, captured by a video capture device during the movement; and

utilizing the video data, present a video by a display device of the portable electronic device that is viewable to [[a]]the user for directing ~~an attention of~~ the user in ~~connection with~~ a second direction towards the first object, such that the first object is not initially presented in the video.

21. (New) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (New) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (New) The method of claim 1 wherein information is integrated with the video data, the information being received via a data store including location information for objects with fixed locations.

Remarks:

Claims 1-7, 14-20 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 2006/0192660) in view of Durucan et al. (US 2007/0147660) and Kertes (US7,289,019). Applicant respectfully disagrees with this rejection. Nevertheless, in the interest of expediting prosecution, applicant has amended Claim 1 to require the following that, in combination, is clearly not found in the references relied upon by the Examiner (emphasis added):

1. A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data, that does not initially include a first object, captured by a video capture device during the movement; and

utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object, where the first object is not initially presented in the video.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the prima facie case of obviousness has not been met, since the prior art excerpts, as relied upon by the Examiner, fail to teach or suggest all of the claim limitations, as noted above. With respect to the other independent claims, applicant respectfully asserts that such claims are deemed allowable for reasons similar, but not necessarily identical, to one or more of the aforementioned reasons (see each claim for specific claim language contained therein). In view of the above, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. For example, with respect to Claim 18, the Examiner merely argues that "movement of electronic device with respect to object causes updating of video presentation (Fig. 3, claim 1)."

However, allegedly disclosing that "movement of electronic device with respect to object causes updating of video presentation", as argued by the Examiner, does not teach or suggest a technique "wherein the **video is conditionally presented** by the display device of the portable electronic device, **based on a detected position of the portable electronic device**." (emphasis added), as claimed by applicant.

Again, as noted above, since at least the third element of the prima facie case of obviousness has not been met, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims below, which are added for full consideration:

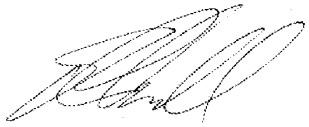
> 21. (New) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (New) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (New) The method of claim 1 wherein information is integrated with the video data, the information being received via a data store including location information for objects with fixed locations.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 24 Jun 2020

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 07/06/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
07/06/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 6-24-20.

☐ 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) 1-13 and 15-23 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) 1-13 and 15-23 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 1,19 and 20 a method, device and computer readable media for receiving video data that does not initially include a first object and utilizing the video data viewable by a user to direct user in a second direction towards the first object where the first object is not initially presented in the video is new matter.

2. Regarding remarks filed with the response on 6-24-20, arguments are moot in view of the new matter rejection.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020	06/30/2020						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	✓						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
	12	✓	✓	✓						
	13	✓	✓	✓						
	14	✓	✓	-						
	15	✓	✓	✓						
	16	✓	✓	✓						
	17	✓	✓	✓						
	18	✓	✓	✓						
	19	✓	✓	✓						
	20	✓	✓	✓						
	21			✓						
	22			✓						
	23			✓						

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 7/16/2020

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2020-07-06, please consider the following believed to place the claims in condition for allowance.

Electronic Acknowledgement Receipt

EFS ID:	40027881
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	16-JUL-2020
Filing Date:	28-FEB-2020
Time Stamp:	22:40:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Response After Final Action	PMOR0091-CIP_ROA_vF_16-Jul-2020.pdf	99633 cf70956a0c6cbe8c205788a3936f0980684885c3	no	6

Warnings:

Information:	
Total Files Size (in bytes):	99633

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 7/16/2020

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2020-07-06, please consider the following believed to place the claims in condition for allowance.

Remarks:

Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "in claims 1,19 and 20 a method, device and computer readable media for receiving video data that does not initially include a first object and utilizing the video data viewable by a user to direct user in a second direction towards the first object where the first object is not initially presented in the video is new matter."

Applicant respectfully disagrees. In response regarding Claim 1, by way of example, applicant cites the figures and paragraphs below (emphasis added, if any) of 13/045,556 (published as US 2012-0229378 A1) which are identical to the disclosure of the instant application. With respect to Claim 1, for example, these citations provide examples of the claimed:

> "receiving video data, that does not initially include a first object …. utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object, where the first object is not initially presented in the video."

As set forth in the illustrative excerpts below, one or more exemplary embodiments are disclosed including an example of "attention information" and/or "attention output" involving "video":

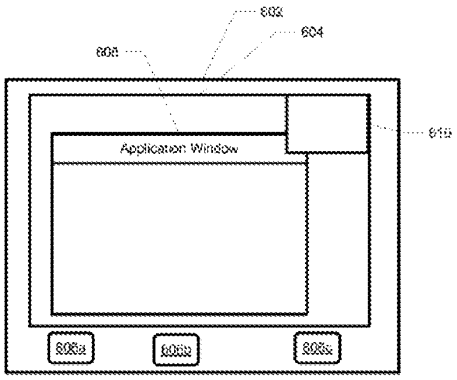


Fig. 6

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates PED 602 including a presentation space 604 of a display device included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. The user of PED 602 may be walking and interacting with the application via output presented via application window 608 and/or one or more input controls 606. An attention condition component 425 in and/or otherwise operatively coupled to PED 602 may determine that an attention criterion is met. **Attention information** including captured image data may be sent, in response, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602. Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

As set forth in the illustrative excerpts below, one or more exemplary embodiments are disclosed where the "attention information" and/or "attention output" **CONDITIONALLY** includes the object, based on or in response to various conditions/criterion being met. By virtue of this disclosure, there is clear support for one or more exemplary embodiments where the first object is not initially presented, and, thereafter, is presented, based on or in response to various conditions/criterion being met.

[0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include image capture devices in a top portion, a left portion, and a right portion of the PED 502. **In response to an attention condition component 425 detecting that the attention criterion is met**, the attention condition component 425 and/or another component may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the right portion of the PED 502**. Alternatively or additionally, **in response to a motion monitor component 402 detecting the PED 502 in motion relative to an object in front of the PED user 510**, motion monitor component 402 and/or another component of may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an interaction monitor component 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510**, interaction monitor component 404 and/or another component of an interaction subsystem 403 may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in movable housing. Receiving image data may include sending an instruction to a housing controller component (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an image capture device in a movable housing. **In response to an attention condition component 425 detecting that the attention criterion is met**, an attention condition component 425 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a motion monitor component 402 detecting the PED 502 in motion relative to an object in front of the PED user 510**, motion monitor component 402 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an interaction monitor component 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510**, interaction monitor component 404 and/or another component may interoperate with a

capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, attention director component 408a may interoperate with presentation subsystem 417a, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates PED 602 including a presentation space 604 of a display device included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An attention condition component** 425 in and/or otherwise operatively coupled to PED 602 **may determine that an attention criterion is met. Attention information** including captured image data may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602. Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

[0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not

be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 16 Jul 2020

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 07/28/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
07/28/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 July 2020 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☑ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires ____ months from the mailing date of the final rejection.
   b) ☑ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection.The current period for reply expires ____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____ (See 37CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicants reply has overcome the following rejection(s): _____
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s):(a)☐ will not be entered, or (b)☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed:_____.
    Claim(s) objected to:_____.
    Claim(s) rejected:1-13 and 15-23.
    Claim(s) withdrawn from consideration:_____.

/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	

Continuation of REQUEST FOR RECONSIDERATION/OTHER 12. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Arguments pertaining to portions of the specification of SN 13/045,556 cited in the response after final do not show the portions of the current claims which have been rejected for new matter. In addition, current application is a distant CIP application of SN 13/045,556 and is only entitled to priority of subject matter that is common between the two applications. Since applicant's representative argues that subject matter of SN 13/045,556 is "identical" to disclosure of the instant application, the relevant subject matter of the instant application should have been pointed out to better enable a determination if new matter arguments were potentially persuasive.

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	16/805,677	Filing Date	2020-02-28	Docket Number (if applicable)	PMOR0091-CIP	Art Unit	2689
First Named Inventor	Robert Paul Morris			Examiner Name	Brent SWARTHOUT		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 504964

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Patrick Caldwell/	Date (YYYY-MM-DD)	2020-08-07
Name	Patrick Caldwell	Registration Number	44580

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	2820	1	950	950
		Total in USD ($)		**950**

Electronic Acknowledgement Receipt	
EFS ID:	40230812
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	07-AUG-2020
Filing Date:	28-FEB-2020
Time Stamp:	19:32:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$950
RAM confirmation Number	E202087J33090342
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	PMOR0091-CIP_RCE_20200807_vF.pdf	1364039 3c7c61b1f00b9716896519874d7543561b22343b	no	3
Warnings:					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	PMOR0091-CIP_ROA_vF_07-Aug-2020.pdf	129135 4bf5bd365eb4085d02e201007fa74810d63efecf	no	7
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30780 a21595e1681614da0f85779b2bdb7259515875d1	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1523954		

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 8/7/2020

AMENDMENT
WITH
REQUEST FOR CONTINUED EXAMINATION (RCE)

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

Examiner:

In response to the Office Action mailed 2020-07-06 and the Advisory Action mailed 2020-07-28, please consider the following believed to place the claims in condition for allowance.

Remarks:

Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "in claims 1,19 and 20 a method, device and computer readable media for receiving video data that does not initially include a first object and utilizing the video data viewable by a user to direct user in a second direction towards the first object where the first object is not initially presented in the video is new matter."

Applicant respectfully disagrees. In response regarding Claim 1, by way of example, applicant cites the figures and paragraphs below (emphasis added, if any) of the instant application, where the substance of such citations are present in both the instant application and 13/045,556 (published as US 2012-0229378 A1). With respect to Claim 1, for example, these citations provide examples of the claimed:

> "receiving video data, that does not initially include a first object …. utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object, where the first object is not initially presented in the video."

As set forth in the illustrative excerpts below, one or more exemplary embodiments are disclosed including an example of "attention information" and/or "attention output" involving "video":

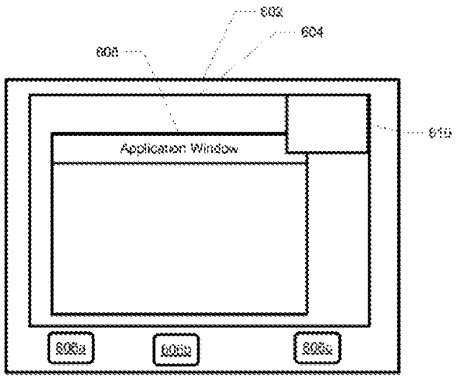


Fig. 6

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates PED 602 including a presentation space 604 of a display device included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. The user of PED 602 may be walking and interacting with the application via output presented via application window 608 and/or one or more input controls 606. An attention condition component 425 in and/or otherwise operatively coupled to PED 602 may determine that an attention criterion is met. **Attention information** including captured image data may be sent, in response, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602. Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

As set forth in the illustrative excerpts below, one or more exemplary embodiments are disclosed where the "attention information" and/or "attention output" **CONDITIONALLY** includes the object, based on or in response to various conditions/criterion being met. By virtue of this disclosure, there is clear support for one or more exemplary embodiments where the first object is not initially presented, and, thereafter, is presented, based on or in response to various conditions/criterion being met.

[0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include image capture devices in a top portion, a left portion, and a right portion of the PED 502. **In response to an attention condition component 425 detecting that the attention criterion is met**, the attention condition component 425 and/or another component may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the right portion of the PED 502**. Alternatively or additionally, **in response to a motion monitor component 402 detecting the PED 502 in motion relative to an object in front of the PED user 510**, motion monitor component 402 and/or another component of may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an interaction monitor component 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510**, interaction monitor component 404 and/or another component of an interaction subsystem 403 may interoperate with a capture manager component 406 to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in movable housing. Receiving image data may include sending an instruction to a housing controller component (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an image capture device in a movable housing. **In response to an attention condition component 425 detecting that the attention criterion is met**, an attention condition component 425 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a motion monitor component 402 detecting the PED 502 in motion relative to an object in front of the PED user 510**, motion monitor component 402 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an interaction monitor component 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510**, interaction monitor component 404 and/or another component may interoperate with a

capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, attention director component 408a may interoperate with presentation subsystem 417a, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates PED 602 including a presentation space 604 of a display device included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An attention condition component** 425 in and/or otherwise operatively coupled to PED 602 **may determine that an attention criterion is met. Attention information** including captured image data may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602. Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

[0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

In the Advisory Action mailed 2020-07-28, the Examiner argues that the "current application is a distant CIP application of SN 13/045,556 and is only entitled to priority of subject matter that

is common between the two applications. Since applicant's representative argues that subject matter of SN 13/045,556 is "identical" to disclosure of the instant application, the relevant subject matter of the instant application should have been pointed out to better enable a determination if new matter arguments were potentially persuasive." Indeed, applicant did do exactly that. Specifically, the above citations can be found at the ***same paragraph numbers*** in ***both*** the instant application ***and*** SN 13/045,556.

Also in the Advisory Action mailed 2020-07-28, the Examiner summarily concludes that "[t]he request for reconsideration has been considered but does NOT place the application in condition for allowance because: Arguments pertaining to portions of the specification of SN 13/045,556 cited in the response after final do not show the portions of the current claims which have been rejected for new matter." This statement is without basis and provides no explanation in support of the relevant rejection. Per MPEP 2163, "[t]here is a presumption that an adequate written description of the claimed invention is present in the specification as filed, *Wertheim, 541 F.2d at 262, 191 USPQ at 96*, thus the examiner has the initial burden, after a thorough reading and evaluation of the content of the application, of ***presenting evidence or reasons why a person skilled in the art would not recognize the written description of the invention as providing adequate support for the claimed invention***. To make a prima facie case, it is necessary to identify the claim limitations that are not adequately supported, ***and explain why the claim is not fully supported by the disclosure***." (emphasis added)

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 07 Aug 2020

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 08/25/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
08/25/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 8-7-20.

☐ 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) 1-13 and 15-23 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) 1-13 and 15-23 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 1,19 and 20 a method, device and computer readable media for receiving video data that does not initially include a first object and utilizing the video data viewable by a user to direct user in a second direction towards the first object where the first object is not initially presented in the video is new matter.

2. Regarding remarks filed with the response on 8-7-20, applicant argues that there is support for the claimed invention and in support refers to Fig. 6, and paragraph nos. 135, 126, 127, 130 and 136. However, applicant does not specifically cite the exact sections of these paragraphs to show where there is supposedly support for the claimed invention, and a thorough reading of these sections does not show any support for the claimed concept of "receiving video data that does not initially include a first object" and "utilizing the video data…viewable to the user for directing the user in a second direction towards the first object, where the first object is not initially presented in the video".

None of the cited passages mention anything about video data not initially including a first object, and none of the sections states anything about directing a user in a second direction towards the first object, which was not initially presented in the video.

On page 6 of the response applicant argues that no evidence or reasons have been presented why there is not support for the claimed invention. To the contrary, the current Office action and prior Final rejection specifically state exactly what part of the claims has no support in the specification and applicant's representative's arguments are not convincing that such support exists in the specification.

3. This is a continuation (RCE) of applicant's earlier Application No. 16/805,677. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS
updated tsl	08/20/2020	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS
updated	tsl	08/20/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020	06/30/2020	08/20/2020					
	1	✓	✓	✓	✓					
	2	✓	✓	✓	✓					
	3	✓	✓	✓	✓					
	4	✓	✓	✓	✓					
	5	✓	✓	✓	✓					
	6	✓	✓	✓	✓					
	7	✓	✓	✓	✓					
	8	✓	✓	✓	✓					
	9	✓	✓	✓	✓					
	10	✓	✓	✓	✓					
	11	✓	✓	✓	✓					
	12	✓	✓	✓	✓					
	13	✓	✓	✓	✓					
	14	✓	✓	-	-					
	15	✓	✓	✓	✓					
	16	✓	✓	✓	✓					
	17	✓	✓	✓	✓					
	18	✓	✓	✓	✓					
	19	✓	✓	✓	✓					
	20	✓	✓	✓	✓					
	21			✓	✓					
	22			✓	✓					
	23			✓	✓					

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	10	(((hearing or visually) adj2 impaired) or deaf or blind) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:12
L2	0	(personal with ((obstacle or object) near5 detect$3)) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:14
L3	69	(((obstacle or object) near5 detect$3)) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:15
L4	419	((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) with display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:22
L5	57	(((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) near10 display$3)) same (camera or video)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:24
L6	209	((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:33
L7	53	((obstacle or object) near4 detect$3) same (((arrow near15 direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:56
L8	76	((obstacle or object) near4 detect$3) same ((((pointer or arrow) near10 direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:56

4/7/2020 11:04:51 AM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	419	((obstacle or object) near4 detect$3) same ((((distance with direction) near5 (obstacle or object)) with display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L2	34246	g08g9/02.cpc. or g08g1/0962,165,166.cpc. or h04n5/23218,232941,23219,2252,33.cpc. or h04n7/183.cpc.	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L3	28	1 and 2	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L4	209	((obstacle or object) near4 detect$3) same ((((distance with direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:26

4/7/2020 2:26:47 PM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	10	(((hearing or visually) adj2 impaired) or deaf or blind) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:12
L2	0	(personal with ((obstacle or object) near5 detect$3)) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:14
L3	69	(((obstacle or object) near5 detect$3)) same (guid$4 near8 display$3) same direction same (distance or range)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:15
L4	419	((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) with display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:22
L5	57	(((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) near10 display$3)) same (camera or video)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:24
L6	209	((obstacle or object) near4 detect$3) same (((distance with direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:33
L7	53	((obstacle or object) near4 detect$3) same (((arrow near15 direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:56
L8	76	((obstacle or object) near4 detect$3) same ((((pointer or arrow) near10 direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 10:56
L9	34246	g08g9/02.cpc. or g08g1/0962,165,166.cpc. or h04n5/23218,232941,23219,2252,33.cpc. or h04n7/183.cpc.	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 11:07
L10	28	4 and 9	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 11:07

4/7/2020 11:08:48 AM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	419	((obstacle or object) near4 detect$3) same ((((distance with direction) near5 (obstacle or object)) with display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L2	34246	g08g9/02.cpc. or g08g1/0962,165,166.cpc. or h04n5/23218,232941,23219,2252,33.cpc. or h04n7/183.cpc.	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L3	28	1 and 2	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:25
L4	209	((obstacle or object) near4 detect$3) same ((((distance with direction) near5 (obstacle or object)) near7 display$3)	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/07 14:26

4/7/2020 2:28:32 PM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	(detect$3 near5 (movement or motion) near5 (((portable or mobile or electronic or cellular or cell or smart) adj3 (device or phone or telephone)) or tablet or laptop or (computing adj2 device))) same ((camera or video) with (object or obstacle) with (collid$3 or collision))	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/06 10:35
L2	31	(detect$3 near5 (movement or motion) near5 (((portable or mobile or electronic or cellular or cell or smart) adj3 (device or phone or telephone)) or tablet or laptop or (computing adj2 device))) and ((camera or video) with (object or obstacle) with (collid$3 or collision))	US-PGPUB; USPAT; USOCR	OR	ON	2020/04/06 10:36

4/6/2020 11:07:45 AM

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	09/14/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 22	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/KIMBERLY N PANNELL/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	16/805,677	Filing Date	2020-02-28	Docket Number (if applicable)	PMOR0091-CIP	Art Unit	2689
First Named Inventor	Robert Paul Morris			Examiner Name	Brent SWARTHOUT		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 504964

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Patrick Caldwell/	Date (YYYY-MM-DD)	2020-09-14
Name	Patrick Caldwell	Registration Number	44580

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Remarks:

Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Applicant respectfully disagrees with this rejection. Nevertheless, in the interest of expediting prosecution, applicant has amended the independent claims to avoid this rejection. In addition to the support already cited in earlier responses (which are incorporated by reference), exemplary support is provided below.

> [0127] In another aspect, an image capture device may be included in movable housing. Receiving image data may include sending an instruction to a housing controller component (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an image capture device in a movable housing. **In response to an attention condition component 425 detecting that the attention criterion is met**, an attention condition component 425 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in a position pointing the image capture device to *THE RIGHT OF* the PED 502 from the PED user's perspective to *RECEIVE IMAGE DATA CAPTURED OF THE OBJECT***. Alternatively or additionally, **in response to a motion monitor component 402 detecting the PED 502 in motion relative to an object *IN FRONT OF* the PED user 510**, motion monitor component 402 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device *FORWARD FROM* the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an interaction monitor component 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to *THE LEFT OF* the PED user 510**, interaction monitor component 404 and/or another component may interoperate with a capture subsystem 415 to **direct the housing to be placed in position pointing the image capture device to *THE LEFT OF* the PED 502 from the PED user's perspective to receive image data captured of the object**.

> [0130] In FIG. 4a, attention director component 408a may interoperate with presentation subsystem 417a, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user,

BASED ON a met attention criterion. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 14 Sep 2020

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Patrick E. Caldwell, Esq.
Reg. No. 44,580

Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 2ND AND SUBSEQUENT REQUEST	2820	1	950	950
		Total in USD ($)		**950**

Electronic Acknowledgement Receipt	
EFS ID:	40554154
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	14-SEP-2020
Filing Date:	28-FEB-2020
Time Stamp:	19:42:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$950
RAM confirmation Number	E20209DJ42581929
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	PMOR0091-CIP_RCE_20200914_vF.pdf	1364045 ddfb28122a5970ae96a1d541e4852ec3eaec0c59	no	3
Warnings:					
Information:					
2		PMOR0091-CIP_ROA_vF_14-Sep-2020.pdf	93078 8a8ad2d7db8098a7f98d4be4417a9c55affe4253	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Claims	1	6
	Amendment Submitted/Entered with Filing of CPA/RCE	7	8

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30781 4480a957a7acb03483189103ee9803858ebb433f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1487904		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 9/14/2020

AMENDMENT
WITH
REQUEST FOR CONTINUED EXAMINATION (RCE)

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

Examiner:

In response to the Office Action mailed 2020-08-25, please consider the following believed to place the claims in condition for allowance.

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data~~, that does not initially include a first object,~~ captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

utilizing the video data, presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object~~, where the first object is not initially presented in the video~~.

2. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information for directing an attention of the user to the first object.

3. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information for instructing the user to direct an attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information indicating a location of the first object.

5. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information including directional information indicating directions to the first object.

6. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video data, the indicia including directional information indicating directions to the first object.

7. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video data, the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Previously Presented) The method of claim 1 wherein first indicia and second indicia are integrated with the video data, the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a location of the first object.

13. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video data, the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Previously Presented) The method of claim 1 wherein the video data includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Currently Amended) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data~~, that does not initially include a first object,~~ captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

utilizing the video data, present a video by the display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object~~, where the first object is not initially presented in the video~~.

20. (Currently Amended) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data~~, that does not initially include a first object,~~ captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

utilizing the video data, present a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object~~, such that the first object is not initially presented in the video~~.

21. (Previously Presented) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (Previously Presented) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (Previously Presented) The method of claim 1 wherein information is integrated with the video data, the information being received via a data store including location information for objects with fixed locations.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 10/02/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
10/02/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 9-14-20.

☐ 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) 1-13 and 15-23 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) 1-13 and 15-23 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 1,19 and 20 a method, device and computer readable media for receiving video data captured in a first direction during movement, where a first object is in a second direction, and utilizing the video data to present a video that is viewable to the user for directing the user in a second direction towards the first object is new matter.

2. Regarding remarks filed with the response on 9-14-20, applicant argues that there is support for the claimed invention and in support refers to paragraphs 127 and 130 of the specification.

However, these citations do not provide support for receiving video data from a first direction and utilizing such video data to present a video viewable to a user for directing the user in a second direction towards a first object.

These citations appear to disclose sensing an attention condition and when attention criterion is met, directing a housing containing an image capture device to the right, forward or left of PED 502 to capture object image. This disclosure is silent to using video data from a first direction to present a video directing user in a second direction toward an object. At best, these citations appear to move an image capture device in the direction of an object when an attention criterion is met.

3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020	06/30/2020	08/20/2020	09/22/2020				
	1	✓	✓	✓	✓	✓				
	2	✓	✓	✓	✓	✓				
	3	✓	✓	✓	✓	✓				
	4	✓	✓	✓	✓	✓				
	5	✓	✓	✓	✓	✓				
	6	✓	✓	✓	✓	✓				
	7	✓	✓	✓	✓	✓				
	8	✓	✓	✓	✓	✓				
	9	✓	✓	✓	✓	✓				
	10	✓	✓	✓	✓	✓				
	11	✓	✓	✓	✓	✓				
	12	✓	✓	✓	✓	✓				
	13	✓	✓	✓	✓	✓				
	14	✓	✓	-	-	-				
	15	✓	✓	✓	✓	✓				
	16	✓	✓	✓	✓	✓				
	17	✓	✓	✓	✓	✓				
	18	✓	✓	✓	✓	✓				
	19	✓	✓	✓	✓	✓				
	20	✓	✓	✓	✓	✓				
	21			✓	✓	✓				
	22			✓	✓	✓				
	23			✓	✓	✓				

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS
updated tsl	08/20/2020	BAS
updated tsl	09/22/2020	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS
updated	tsl	08/20/2020	BAS
updated	tsl	09/22/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	10/21/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 22	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ANTHONY TYSON/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $230 =	
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☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	10/21/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 22	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ANTHONY TYSON/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Remarks:

Claims 1-13 and 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner points out that "[r]egarding remarks filed with the response on 9-14-20, applicant argues that there is support for the claimed invention and in support refers to paragraphs 127 and 130 of the specification. However, these citations do not provide support for receiving video data from a first direction and utilizing such video data to present a video viewable to a user for directing the user in a second direction towards a first object. These citations appear to disclose sensing an attention condition and when attention criterion is met, directing a housing containing an image capture device to the right, forward or left of PED 502 to capture object image. This disclosure is silent to using video data from a first direction to present a video directing user in a second direction toward an object. At best, these citations appear to move an image capture device in the direction of an object when an attention criterion is met."

Applicant respectfully disagrees. Specifically, the specification clearly contemplates that a "capture subsystem 415 may provide image data captured **prior** to the request" and that an "**attention criterion** may be based on … an **object** other than the portable electronic device."

However, in the interest of expediting prosecution, applicant has amended the claims to avoid this issue.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 21 Oct 2020

Patrick E. Caldwell, Esq.
Reg. No. 44,580

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Dallas, Texas 75229-0655
Telephone: (214) 734-2313
pcaldwell@thecaldwellfirm.com

Electronic Acknowledgement Receipt	
EFS ID:	40911834
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	21-OCT-2020
Filing Date:	28-FEB-2020
Time Stamp:	23:24:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		PMOR0091-CIP_ROA_vF_21-Oct-2020.pdf	72429 c37bed082ec5753c1344bba1993b820dfb7e581a	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Claims	1	6
	Amendment/Req. Reconsideration-After Non-Final Reject	7	8
Warnings:			
Information:			
	Total Files Size (in bytes):	72429	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 10/21/2020

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2020-10-02, please consider the following believed to place the claims in condition for allowance.

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

~~utilizing the video data,~~ presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object. video data

2. (Currently Amended) The method of claim 1 wherein information is integrated with the video[[data]], the information for directing an attention of the user to the first object.

3. (Currently Amended) The method of claim 1 wherein information is integrated with the video[[data]], the information for instructing the user to direct an attention to the first object.

4. (Currently Amended) The method of claim 1 wherein information is integrated with the video[[data]], the information indicating a location of the first object.

5. (Currently Amended) The method of claim 1 wherein information is integrated with the video[[data]], the information including directional information indicating directions to the first object.

6. (Currently Amended) The method of claim 1 wherein indicia is integrated with the video[[data]], the indicia including directional information indicating directions to the first object.

7. (Currently Amended) The method of claim 1 wherein indicia is integrated with the video[[data]], the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Currently Amended) The method of claim 1 wherein first indicia and second indicia are integrated with the video[[data]], the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Currently Amended) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video[[data]], the tactile feedback being output based on a location of the first object.

13. (Currently Amended) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video[[data]], the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Currently Amended) The method of claim 1 wherein the video[[data]] includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Currently Amended) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

~~utilizing the video data,~~ present a video by the display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

20. (Currently Amended) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

~~utilizing the video data,~~ present a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

21. (Previously Presented) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (Previously Presented) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving

additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (Currently Amended) The method of claim 1 wherein information is integrated with the video[[data]], the information being received via a data store including location information for objects with fixed locations.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 10/30/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
10/30/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 10-21-20.

☐ 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) 1-13 and 15-23 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) 1-13 and 15-23 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. Claims 1-13,15-18 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention.

In claim 1, lines 7-8 "the first object video data" has no antecedent basis.

2. Claims 1-13,15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for applications subject to pre-AIA 35 U.S.C. 112, the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 1,19 and 20 a video for directing a user in a second direction towards a first object is claimed, but no structure is set forth describing how a first object is detected or how a video is presented to direct a user to the first object.

3. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim s 1-13,15-22 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 2013/0029730).

Harada discloses a method comprising detecting movement of portable electronic device 10 in a first direction resulting from a user walking (Fig. 7, S202; pars. 65,66), receiving video data captured in a

first direction by a video capture device (58,58a,61,61a,61b), presenting a video by a display device 55of portable electronic device 10 viewable by a user directing user's vision in a second directin towards an object that is in a second direction 20 degrees spaced from first direction (Fig. 11b), except for specifically stating that video directs user in a second direction.

However, since Harada teaches presenting video showing user direction to an obstacle, it would have been a matter of intended use for user to decide to head toward obstacle, merely depending on what type of obstacle it was.

Regarding claims 2-6, Harada discloses integrating information with video to direct user attention to object, including providing object location, and directional information (Fig. 11b).

Regarding claims 7-11, Harada discloses video display with arrow indicia, including direction, second indicia including distance with labeling (Fig. 11b).

Regarding claims 12-13, Harada teaches providing tactile indication of object presence, based on presence of object within set distance of moving portable electronic device 10 (par. 34).

Regarding claims 15-18, Harada teaches detecting surroundings with camera 61a,61b, providing location of object (Fig. 11b), and updating display 55 based on position and movement of portable electronic device 10, including providing updated distance (Fig. 11b).

Claims 19-20 are rejected for the same reasons as set forth above with regard to claim 1.

Regarding claims 21-22, Harada continually updates display of objects based on position of portable electronic device 10 (Figs. 11b, 12b).

4. Claim 23 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. in view of Leblang et al. (US 8,953,841).

Harada discloses displaying objects near moving portable electronic device 10, except for specifically stating that objects can have fixed locations.

Leblang teaches desirability of displaying images of object having fixed location (fire hydrant) to enable a user of a portable moving electronic device to avoid colliding with the object (Figs. 1,3).

It would have been obvious to one of ordinary skill in the art to display fixed objects that were potential collision risks as suggested by Leblang in conjunction with an object display device as disclosed by Harada, in order that a user could have avoided colliding with fixed and movable objects.

5. Remarks filed with the response on 10-21-20 are moot in view of the new grounds of rejection presented in the current Office action.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of References Cited	Application/Control No. 16/805,677	Applicant(s)/Patent Under Reexamination Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20130029730-A1	01-2013	HARADA; Noriyuki	H04M1/72522	455/566
*	B	US-8953841-B1	02-2015	Leblang; Jonathan A.	G06K9/00671	382/103
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020	06/30/2020	08/20/2020	09/22/2020	10/27/2020			
	1	✓	✓	✓	✓	✓	✓			
	2	✓	✓	✓	✓	✓	✓			
	3	✓	✓	✓	✓	✓	✓			
	4	✓	✓	✓	✓	✓	✓			
	5	✓	✓	✓	✓	✓	✓			
	6	✓	✓	✓	✓	✓	✓			
	7	✓	✓	✓	✓	✓	✓			
	8	✓	✓	✓	✓	✓	✓			
	9	✓	✓	✓	✓	✓	✓			
	10	✓	✓	✓	✓	✓	✓			
	11	✓	✓	✓	✓	✓	✓			
	12	✓	✓	✓	✓	✓	✓			
	13	✓	✓	✓	✓	✓	✓			
	14	✓	✓	-	-	-	-			
	15	✓	✓	✓	✓	✓	✓			
	16	✓	✓	✓	✓	✓	✓			
	17	✓	✓	✓	✓	✓	✓			
	18	✓	✓	✓	✓	✓	✓			
	19	✓	✓	✓	✓	✓	✓			
	20	✓	✓	✓	✓	✓	✓			
	21			✓	✓	✓	✓			
	22			✓	✓	✓	✓			
	23			✓	✓	✓	✓			

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS
updated tsl	08/20/2020	BAS
updated tsl	09/22/2020	BAS
updated tsl	10/27/2020	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS
updated	tsl	08/20/2020	BAS
updated	tsl	09/22/2020	BAS
updated	tsl	10/27/2020	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS
EAST	10/27/2020	BAS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	100	((portable or mobile or electronic or cellular or cell or smart) adj2 (phone or telephone or device)) same ((obstacle or obstruction) with (periphery or side or adjacent or beside or perpendicular)) same (alert$3 or indicat$3 or warning or alarm)	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 12:06
L2	124	((portable or mobile or electronic or cellular or cell or smart) adj2 (phone or telephone or device)) same ((obstacle or obstruction) with (periphery or side or adjacent or beside or perpendicular)) same (walk$3 or run$4 or moving or motion)	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 12:21
L3	1	"20130029730".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 13:13
L4	1	"8953841".pn.	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 13:37

10/27/2020 1:43:04 PM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	100	((portable or mobile or electronic or cellular or cell or smart) adj2 (phone or telephone or device)) same ((obstacle or obstruction) with (periphery or side or adjacent or beside or perpendicular)) same (alert$3 or indicat$3 or warning or alarm)	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 12:06

10/27/2020 12:21:05 PM

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	100	((portable or mobile or electronic or cellular or cell or smart) adj2 (phone or telephone or device)) same ((obstacle or obstruction) with (periphery or side or adjacent or beside or perpendicular)) same (alert$3 or indicat$3 or warning or alarm)	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 12:06
L2	124	((portable or mobile or electronic or cellular or cell or smart) adj2 (phone or telephone or device)) same ((obstacle or obstruction) with (periphery or side or adjacent or beside or perpendicular)) same (walk$3 or run$4 or moving or motion)	US-PGPUB; USPAT; USOCR	OR	ON	2020/10/27 12:21

10/27/2020 12:36:30 PM

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☑ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $100 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $460 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	11/11/2020	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 22	= 0		x $100 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $480 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/ANTHONY TYSON/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Remarks:

Claims 1-13, 15-18 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention. Applicant has clarified claim 1 to avoid this rejection.

Claims 1-13, 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "[i]n claims 1, 19 and 20 a video for directing a user in a second direction towards a first object is claimed, but no structure is set forth describing how a first object is detected or how a video is presented to direct a user to the first object." Applicant respectfully disagrees. The disclosure is replete with supporting structure (e.g. PED, motion monitor component, interaction monitor component, capture manager component, and attention director component, presentation subsystem, presentation controller component, interaction subsystem, attention service, image capture device, capture subsystem, and/or any one or more components thereof). See exemplary citations below (emphasis added):

> [0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include **IMAGE CAPTURE DEVICES IN A TOP PORTION, A LEFT PORTION, AND A RIGHT PORTION OF THE PED 502**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, THE ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to

receive image data captured of the object from the image capture device in the right portion of the PED 502. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** of may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT OF AN INTERACTION SUBSYSTEM 403** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, **ATTENTION DIRECTOR COMPONENT 408A** may interoperate with **PRESENTATION SUBSYSTEM 417A**, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates **PED 602** including a **PRESENTATION SPACE 604 OF A DISPLAY DEVICE** included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An ATTENTION CONDITION COMPONENT 425** in and/or otherwise operatively coupled to **PED 602 may determine that an attention criterion is met. Attention information** including **captured image data** may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602**. **Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

[0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

Claims 1-13, and 15-22 is/are rejected under pre-AIA 35 U.s.c. 103(a) as being unpatentable over Harada et al. (US 2013/0029730). Harada claims the benefit of priority from prior Japanese Patent Application No. 2011-162528 filed on ***Jul. 25, 2011***. However, the instant application claims priority to U.S. Patent Application No. 13/045,556, filed on ***March 11, 2011***. Thus, Harada is ***not*** prior art.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 11 Nov 2020

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Reg. No. 44,580

Electronic Acknowledgement Receipt	
EFS ID:	41099478
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	11-NOV-2020
Filing Date:	28-FEB-2020
Time Stamp:	18:41:44
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		PMOR0091-CIP_ROA_vF_11-Nov-2020.pdf	104791 d5fe3a47a5706f7f6dd496babb9bca23d9207f9f	yes	10

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Applicant Arguments/Remarks Made in an Amendment	7	10
	Claims	1	6
Warnings:			
Information:			
	Total Files Size (in bytes):	104791	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 11/11/2020

AMENDMENT UNDER FINAL

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

Examiner:

In response to the Office Action mailed 2020-10-30, please consider the following believed to place the claims in condition for allowance.

CLAIMS

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object. ~~video data~~

2. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for directing an attention of the user to the first object.

3. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for instructing the user to direct an attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information indicating a location of the first object.

5. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information including directional information indicating directions to the first object.

6. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia including directional information indicating directions to the first object.

7. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Previously Presented) The method of claim 1 wherein first indicia and second indicia are integrated with the video, the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video, the tactile feedback being output based on a location of the first object.

13. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video, the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Previously Presented) The method of claim 1 wherein the video includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Previously Presented) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by the display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

20. (Previously Presented) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

21. (Previously Presented) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (Previously Presented) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing

the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information being received via a data store including location information for objects with fixed locations.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 11/27/2020

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
11/27/2020	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 November 2020 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☑ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires ____ months from the mailing date of the final rejection.
   b) ☑ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection.The current period for reply expires ____ months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: _____ (See 37CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☑ Applicants reply has overcome the following rejection(s): 112 2nd paragraph "antecedent basis" rejection is overcome by amendment.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☑ For purposes of appeal, the proposed amendment(s):(a)☐ will not be entered, or (b)☑ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed:_____.
    Claim(s) objected to:_____.
    Claim(s) rejected:1-13 and 15-23.
    Claim(s) withdrawn from consideration:_____.

/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	

Continuation of REQUEST FOR RECONSIDERATION/OTHER 12. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: Nothing in the arguments filed 11-11-20 provides support to overcome the 35 USC 112 first paragraph rejection.Also, applicant argues that Harada reference is not valid prior art due to current application dependency on application SN 13/045,556. However, SN 13/045,556 does not include description of current claimed elements, and thus does not provide proof of establishment of claimed invention prior to Harada reference , and Harada is thus proper prior art for the "currently" claimed invention.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Confirmation No.: 1967
ROBERT PAUL MORRIS	Examiner: SWARTHOUT, BRENT
Application No.: 16/805,677	Art Unit: 2457
File Date: 02/28/2020	Docket No.: PMOR0091-CIP
Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Date: 11/11/2020

OK to enter
BAS
11-23-20

AMENDMENT UNDER FINAL

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

Examiner:

In response to the Office Action mailed 2020-10-30, please consider the following believed to place the claims in condition for allowance.

Electronic Patent Application Fee Transmittal

Application Number:	16805677
Filing Date:	28-Feb-2020
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Filer:	Patrick Edgar Caldwell
Attorney Docket Number:	PMOR0091-CIP

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
NOTICE OF APPEAL	2401	1	420	420
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**420**

Electronic Acknowledgement Receipt	
EFS ID:	41435266
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	18-DEC-2020
Filing Date:	28-FEB-2020
Time Stamp:	16:04:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$420
RAM confirmation Number	E2020BHG05141413
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	PMOR0091-CIP_NoticeOfAppeal_20201218_vF.pdf	265864 ade43675e2df23ee84effe150e46c7608ce6e427	no	2
Warnings:					
Information:					
2	Pre-Brief Conference request	PMOR0091-CIP_Pre-Appeal_Request_20201218_vF.pdf	228041 fc3e27d929172f68d28f8b5387af79fb18b17963	no	2
Warnings:					
Information:					
3	Pre-Brief Conference request	PMOR0091-CIP_Pre-Appeal_Brief_vF_18-Dec-2020.pdf	87016 76cdf0b972db891327f9ace45c30f0119ebb026c	no	4
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30777 15bfaf18198464736bbd9216196566f0f6076117	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	611698		

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/AIA/31 (03-14)
Approved for use through 11/30/2020. OMB 0651-0031
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD

Docket Number (Optional): PMOR0091-CIP

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, on Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 2020-12-18.

Signature /Patrick Caldwell/

Typed or printed name Patrick Caldwell

In re Application of

Application Number	Filed
16/805,677	2020-02-28

For: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE I

Art Unit	Examiner
2689	Brent SWARTHOUT

Applicant hereby **appeals** to the Patent Trial and Appeal Board from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) $ 840

☐ Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: $ 420

☐ Applicant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: $ _____
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-4964.

☑ Payment made via EFS-Web.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/AIA/22 or equivalent) is enclosed.
For extensions of time in reexamination proceedings, see 37 CFR 1.550.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant

☒ attorney or agent of record
Registration number 44580

☐ attorney or agent acting under 37 CFR 1.34
Registration number _____

Signature /Patrick Caldwell/

Typed or printed name Patrick Caldwell

Telephone Number (214) 734-2313

Date 2020-12-18

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.20(b)(1) and 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: AP.PRE.REQ

PTO/AIA/33 (03-13)
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): PMOR0091-CIP

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on 2020-12-18

Signature /Patrick Caldwell/

Typed or printed name Patrick Caldwell

Application Number	Filed
16/805,677	2020-02-28

First Named Inventor: Robert Paul Morris

Art Unit	Examiner
2689	Brent SWARTHOUT

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ applicant.

☒ attorney or agent of record. Registration number 44580.

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

/Patrick Caldwell/
Signature

Patrick Caldwell
Typed or printed name

(214) 734-2313
Telephone number

2020-12-18
Date

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

NOTICE: With the intent of streamlining use of the Pre-Appeal Brief Review Request and Conference Pilot Program and maximizing its effectiveness, applicant has focused the following remarks primarily on clear errors in the Examiner's rejection of solely independent claims under 35 U.S.C. 112 and 35 U.S.C. 103. To the extent that the Examiner is willing to withdraw at least his rejection of the independent claims under 35 U.S.C. 103, applicant invites the Examiner to contact applicant, as applicant will file an RCE to re-open and continue prosecution on any remaining outstanding issues.

Claims 1-13, 15-18 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention. Applicant has previously clarified claim 1 to avoid this rejection.

Claims 1-13, 15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "[i]n claims 1, 19 and 20 a video for directing a user in a second direction towards a first object is claimed, but no structure is set forth describing how a first object is detected or how a video is presented to direct a user to the first object." Applicant respectfully disagrees. The disclosure is replete with supporting structure (e.g., PED, motion monitor component, interaction monitor component, capture manager component, and attention director component, presentation subsystem, presentation controller component, interaction subsystem, attention service, image capture device, capture subsystem, and/or any one or more components thereof). See exemplary citations below (emphasis added):

> [0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include **IMAGE**

CAPTURE DEVICES IN A TOP PORTION, A LEFT PORTION, AND A RIGHT PORTION OF THE PED 502. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, THE ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the right portion of the PED 502**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** of may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT OF AN INTERACTION SUBSYSTEM 403** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data**

captured of the object. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, **ATTENTION DIRECTOR COMPONENT 408A** may interoperate with **PRESENTATION SUBSYSTEM 417A**, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

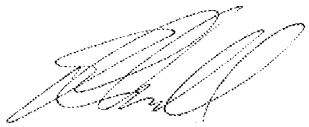
[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates **PED 602** including a **PRESENTATION SPACE 604 OF A DISPLAY DEVICE** included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An ATTENTION CONDITION COMPONENT 425** in and/or otherwise operatively coupled to **PED 602 may determine that an attention criterion is met. Attention information** including **captured image data** may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602**. **Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

> [0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

Claims 1-13, and 15-22 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 2013/0029730). Harada claims the benefit of priority from prior Japanese Patent Application No. 2011-162528 filed on ***Jul. 25, 2011***. However, the instant application claims priority to U.S. Patent Application No. 13/045,556, filed on ***March 11, 2011***. Thus, Harada is ***not*** prior art.

Respectfully submitted,



Dated: 18 Dec 2020

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 01/28/2021

The Caldwell Firm, LLC
PO Box 59655
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Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
01/28/2021	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

Notice of Panel Decision from Pre-Appeal Brief Review	Application No. 16/805,677	Applicant(s) Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	AIA (FITF) Status No

This is in response to the Pre-Appeal Brief Request for Review filed 18 December 2020 .

1. ☐ **Improper Request** - The Request is improper and a conference will not be held for the following reason(s):

☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
☐ The request does not include reasons why a review is appropriate.
☐ A proposed amendment is included with the Pre-Appeal Brief request.
☐ Other: _____ .

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☑ **Proceed to Board of Patent Appeals and Interferences** - A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☐ The panel has determined the status of the claim(s) is as follows:
Claim(s) allowed: _____ .
Claim(s) objected to: _____ .
Claim(s) rejected: 1-13,15-23 .
Claim(s) withdrawn from consideration: _____ .

3. ☐ **Allowable application** - A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** - A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) BRENT SWARTHOUT .	(3) QUAN ZHEN WANG .
(2) JOSEPH FEILD .	(4) _____ .

/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	/JOSEPH H FEILD/ Supervisory Patent Examiner, Art Unit 2689	/QUAN-ZHEN WANG/ Supervisory Patent Examiner, Art Unit 2684

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Robert Paul Morris	Confirmation No.: 1967
Application No.:	16/805,677	Examiner: SWARTHOUT, BRENT
Filed:	02-28-2020	Art Unit: 2689
For:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION	Atty. Docket No.: PMOR0091-CIP Date: 03/12/2021

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

ATTENTION: Board of Patent Appeals and Interferences

APPEAL BRIEF (37 C.F.R. § 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on 12/18/2020, and in response to the Advisory Action, dated 11/27/2020.

The fees required under 37 C.F.R. § 1.17, and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains these items under the following headings, and in the order set forth below (37 C.F.R. § 41.37(c)(1)):

I REAL PARTY IN INTEREST

II RELATED APPEALS AND INTERFERENCES

III SUMMARY OF CLAIMED SUBJECT MATTER

IV ARGUMENT

V CLAIMS APPENDIX

The final page of this brief bears the practitioner's signature.

I REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))

The real party in interest in this appeal is SITTING MAN, LLC.

II RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c)(1)(ii))

With respect to other prior or pending appeals, interferences, or related judicial proceedings that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no other such appeals, interferences, or related judicial proceedings.

III SUMMARY OF CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(iii))

With respect to a summary of Claim 1, as shown in Figures 2, et al., a method comprises detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction (e.g., see item 202 of Fig. 2). Additionally, the method comprises receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction (e.g., see item 206 of Fig. 2). In addition, the method comprises presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object (e.g., see item 208 of Fig. 2). See, for example, Paragraphs [0033], [0040], [0070] – [0071], [0075], [0077] – [0078], [0080] – [0081], [0120], [0123], [0125], [0128], [0135], [0137], and [0143], et al.

With respect to a summary of Claim 19, as shown in Figures 1 and 2, et al., a portable electronic device comprises a display device (e.g., see item 130 of Fig. 1). Additionally, a portable electronic device comprises an input device (e.g., see item 128 of Fig. 1). In addition, a portable electronic device comprises at least one non-transitory memory storing instructions (e.g., see item 106 of Fig. 1). Further, a portable electronic device comprises one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute instructions (e.g., see item 104 of Fig. 1). Further still, a portable electronic device may detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction (e.g., see item 202 of Fig. 2). Further yet, a portable electronic device may receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction (e.g., see item 206 of Fig. 2). Still further, a portable electronic device may present a video by the display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object (e.g., see item 208 of Fig. 2). See, for example, Paragraphs [0024] – [0027], [0031] – [0033],

[0040], [0045], [0070] – [0071], [0075], [0077] – [0078], [0080] – [0081], [0083], [0098], [0100], [0120], [0123], [0125], [0128], [0135], [0137], and [0143], [0172], et al.

With respect to a summary of Claim 20, as shown in Figures 2, et al., a non-transitory computer-readable media stores computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to: detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction (e.g., see item 202 of Fig. 2). Additionally, a non-transitory computer-readable media may receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction (e.g., see item 206 of Fig. 2). In addition, a non-transitory computer-readable media may present a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object (e.g., see item 208 of Fig. 2). See, for example, Paragraphs [0033], [0040], [0070] – [0071], [0075], [0077] – [0078], [0080] – [0081], [0120], [0123], [0125], [0128], [0135], [0137], and [0143], et al.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

IV ARGUMENT (37 C.F.R. § 41.37(c)(1)(iv))

The claims of the groups noted below do not stand or fall together. In the present section, appellant explains why the claims of each group are believed to be separately patentable.

Issue 1: Claims 1-13 and 15-18 rejection under 35 U.S.C. 112(b)

In the Final Rejection filed on 10/30/2020, the Examiner rejected claims 1-13 and 15-18 under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the Appellant), regards as the invention. Appellant has clarified claim 1 to avoid this rejection.

Issue 2: Claims 1-13, 15-23 rejection under 35 U.S.C. 112(a)

In the Final Rejection filed on 10/30/2020, the Examiner also rejected claims 1-13, 15-23 under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "[i]n claims 1, 19 and 20 a video for directing a user in a second direction towards a first object is claimed, but no structure is set forth describing how a first object is detected or how a video is presented to direct a user to the first object." Appellant respectfully disagrees. The disclosure is replete with supporting structure (e.g., PED, motion monitor component, interaction monitor component, capture manager component, and attention director component, presentation subsystem, presentation controller component, interaction subsystem, attention service, image capture device, capture subsystem, and/or any one or more components thereof). See exemplary citations below (emphasis added):

> [0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives

with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include **IMAGE CAPTURE DEVICES IN A TOP PORTION, A LEFT PORTION, AND A RIGHT PORTION OF THE PED 502**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, THE ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the right portion of the PED 502**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** of may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT OF AN INTERACTION SUBSYSTEM 403** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting**

the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, **ATTENTION DIRECTOR COMPONENT 408A** may interoperate with **PRESENTATION SUBSYSTEM 417A**, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates **PED 602** including a **PRESENTATION SPACE 604 OF A DISPLAY DEVICE** included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An ATTENTION CONDITION COMPONENT 425** in and/or otherwise operatively coupled to **PED 602 may determine that an attention criterion is met. Attention information** including **captured image data** may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602**. **Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

[0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

The following e-mail exchange occurred between Appellant and the Examiner on January 2527, 2021:

> -------- Forwarded Message --------
> **Subject:** RE: PMOR0091-CIP (16/805,677) Proposed Amdnemnt
> **Date:** Wed, 27 Jan 2021 15:19:35 +0000
> **From:** Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
> **To:** Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
>
> Mr. Caldwell:
>
> Regarding the color coded presentation below and disclosure of paragraph 127: video is not disclosed, display device of PED not disclosed, display device visible to a user is not disclosed, directing a user in a second direction is not disclosed, directing a user toward a first object is not disclosed.
> It appears that Appellant is attempting to pick and choose select words from different sections of the paragraph to cobble together a narrative that performs an alleged function that isn't supported in the specification.
>
> What seems to be going on in paragraph 127 is that a PED can sense motion and in response somehow a housing is directed to be moved. Paragraph doesn't say what housing is a part of, doesn't say how image capture device is positioned with respect to PED since no correlation between PED and movable housing are disclosed. Appears that if motion is sensed in front of PED then image can be captured in front of PED. Any relationship between housing, PED and image capture device is very vague and convoluted, making it impossible to decipher what is meant by "direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object ".
>
> If paragraph 127 is the best Appellant has for supporting the current claim language, you might want to consider filing a CIP application that clearly discloses in the drawings and specification support for the claimed limitations.
>
> I have tried to convey in the clearest possible manner that Appellant has not provided teachings from the specification to support the claimed invention.
> Any further correspondence regarding this issue should be done by official correspondence to be clear on the record.
>
> Regards,

Brent Swarthout
AU 2689

From: Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
Sent: Monday, January 25, 2021 2:24 PM
To: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Subject: Re: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Examiner Swarthout,

Thank you for your email below. We are having difficultly understanding which portion of the last claim element is the basis for your 112 issue. As set forth by the color-coded support claim chart below, the claim elements at issue are clearly supported.
If you can please call me and explain (in person or by voicemail) why the analysis below is not sound (as to which claim element is not supported), that would be helpful so that we can more significantly amend the claims to address your 112 issue.
Of course, our hope is that the color-coded support claim chart below will help convince you of the existence of valid support for the current claims.
Please call at your convenience.

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.	[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an **object** in relative motion to a PED 502 to the **right** of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the**

	PED 502 from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.
Note: It should be noted that the foregoing exemplary citations in the specification (and chart) are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.	

Thanks,

Patrick

In response, Appellant offered the following to rebut the Examiner's arguments raised in the above e-mail exchange. It should be noted that, in the version of the claim chart below, any color-coding was replaced with "hatching" and various types of "underlining."

Examiner Argument (text formatting added)	**Appellant Rebuttal to be Presented on Appeal**
"video is not disclosed"	Appellant respectfully disagrees. As set forth in earlier communications, "image data" in the color-coded chart is disclosed to include still images OR "video." See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "video" claim term. [0135] ..."The image may be included in a still image and/or in a VIDEO presented in attention output 610." [0122] … "Exemplary capture devices include still image capture devices and VIDEO capture devices."
"display device of PED not disclosed"	Again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses presentation subsystem 417 a, where the presentation subsystem 417 a is clearly disclosed to include a "display device." See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "display device of the portable electronic device" claim phrase (emphasis added). [0018] "FIG. 4 a is a block diagram illustrating an arrangement of components for providing feedback to a user of a PORTABLE ELECTRONIC DEVICE in motion according to another aspect of the subject matter described herein;"

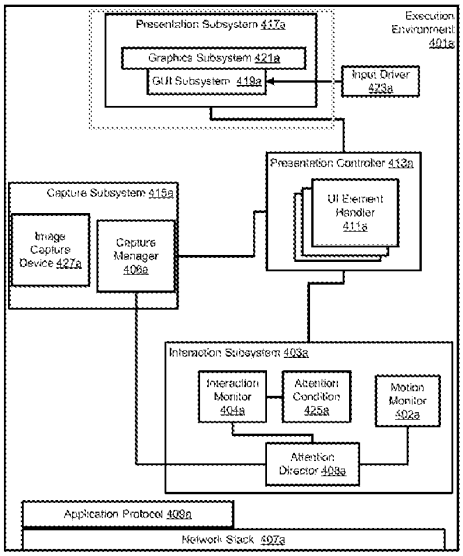


Fig. 4a

[0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. …Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a DISPLAY for presenting the image."

[0033] "Output device 130 may be a DISPLAY DEVICE. Exemplary display devices include liquid crystal displays (LCDs), light emitting diode (LED) displays, and projectors. Output device 130 presents output of execution environment 102 to one or more users."

"display device visible to a user is not disclosed"

Yet again, Appellant respectfully disagrees.

As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof.

As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose that the video presented by the display device is viewable to the user. See the exemplary color-coded

	excerpts below that clearly provide exemplary support for Appellant's "that is viewable to the user" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be PRESENTED TO A USER OF A PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object. For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from an object in front of the user, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"directing a user in a second direction is not disclosed"	Still yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose directing the user in the second direction. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's technique "for directing the user in the second direction" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED 502 to ALTER A DIRECTION of, object of, and/or other attribute of attention for the user of the PED 502 to DIRECT THE USER'S ATTENTION AWAY FROM THE PED 502 causing the user to interact with the object. For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from

	an object in front of the user, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"directing a user toward a first object is not disclosed"	Even still yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose directing the user toward the first object. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "for directing the user …towards the first object" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED 502 to alter a DIRECTION of, object of, and/or other attribute of attention for the user of the PED 502 to DIRECT the user's attention away from the PED 502 CAUSING THE USER TO INTERACT WITH THE OBJECT. For example, an attention output may attract, instruct, and/or otherwise DIRECT ATTENTION FROM THE USER OF PED 502 TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"Paragraph doesn't say what housing is a part of, doesn't say how image capture device is positioned with respect to PED	In these statements, the Examiner appears to be departing from the original "support" rejection and is now switching gears to an "enablement" argument. Appellant respectfully and vehemently disagrees with this argument. Since there are no formal "enablement" rejections on the record, Appellant focuses herein on just the "support" rejection that will be presented on appeal.

since no correlation between PED and movable housing are disclosed."	
TEXT FORMATTED CLAIM CHART	
presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.	[0127] In another aspect, an image capture device may be included in MOVABLE HOUSING. Receiving image data may include sending an instruction to a HOUSING CONTROLLER COMPONENT (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an IMAGE CAPTURE DEVICE in a MOVABLE HOUSING. In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, an ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE SUBSYSTEM 415 to direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE SUBSYSTEM 415 to direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE SUBSYSTEM 415 to direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's

	perspective to receive image data captured of the object.
Note: Citations above are from US20120229378A1, the earliest priority document, which is incorporated by reference. It should be noted that the foregoing exemplary citations in the specification (and chart) are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.	

In response to the above, the Examiner asserted that "[t]here is still no support in the specification for the claimed subject matter." Appellant respectfully disagrees in view of the contents of the claim chart above.

Issue 3: Claims 1-13, and 15-22 rejection under pre-AIA 35 U.S.C. 103(a)

In the Final Rejection filed on 10/30/2020, the Examiner also rejected claims 1-13, and 15-22 under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 2013/0029730). Harada claims the benefit of priority from prior Japanese Patent Application No. 2011-162528 filed on ***Jul. 25, 2011***. However, the instant application claims priority to U.S. Patent Application No. 13/045,556, filed on ***March 11, 2011***. Thus, Harada is ***not*** prior art.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

V CLAIMS APPENDIX (37 C.F.R. § 41.37(c)(1)(v))

1. (Previously Presented) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

2. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for directing an attention of the user to the first object.

3. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for instructing the user to direct an attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information indicating a location of the first object.

5. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information including directional information indicating directions to the first object.

6. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia including directional information indicating directions to the first object.

7. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Previously Presented) The method of claim 1 wherein first indicia and second indicia are integrated with the video, the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video, the tactile feedback being output based on a location of the first object.

13. (Previously Presented) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation the video, the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Previously Presented) The method of claim 1 wherein the video includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Previously Presented) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Previously Presented) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by the display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

20. (Previously Presented) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.

21. (Previously Presented) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (Previously Presented) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing

the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information being received via a data store including location information for objects with fixed locations.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned as indicated below. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-5939 (Order No. PMOR0091-CIP).

Respectfully submitted,



Dated: 12 Mar 2021

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Reg. No. 44,580

Electronic Patent Application Fee Transmittal

Application Number:	16805677
Filing Date:	28-Feb-2020
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Filer:	Patrick Edgar Caldwell
Attorney Docket Number:	PMOR0091-CIP

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
APPEAL FORWARDING FEE	2413	1	1180	1180
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1180**

Electronic Acknowledgement Receipt	
EFS ID:	42172715
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	12-MAR-2021
Filing Date:	28-FEB-2020
Time Stamp:	20:32:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$1180
RAM confirmation Number	E20213BK32500862
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	PMOR0091-CIP_Appeal-Brief-Transmittal_vF_12-Mar-2021.pdf	61919 cf7ac252c8727f8ef2aad3f74492e349d9401514	no	2
Warnings:					
Information:					
2	Appeal Brief Filed	PMOR0091-CIP_Appeal_Brief_vF_12-Mar-2021.pdf	226779 e7475441cfec1a2145e8815e3c6ca68ae8854787	no	24
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30983 0ca1a94ea2eb6b792d55d0f9b3dadaeba8974f4e	no	2
Warnings:					
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		Total Files Size (in bytes):	319681		

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
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If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Robert Paul Morris	Confirmation No.: 1967
Application No.: 16/805,677	Examiner: SWARTHOUT, BRENT
Filed: 02-28-2020	Art Unit: 2689
For: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION	Atty. Docket No.: PMOR0091-CIP
	Date: 03/12/2021

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Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF
(PATENT APPLICATION--37 C.F.R. § 41.37)

1. This brief is in furtherance of the Notice of Appeal, filed in this case on 12/18/2020.

2. STATUS OF APPLICANT

This application is on behalf of a small entity.

3. FEE FOR FILING APPEAL BRIEF

Applicant believes that a one month extension is required. The Commissioner is authorized to charge any fees believed to be due to Deposit Account 50-5939.

4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

Applicant believes that a one month extension is required. Additionally, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-5939.

Respectfully submitted,



Dated: 12 Mar 2021

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 03/29/2021

The Caldwell Firm, LLC
PO Box 59655
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Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
03/29/2021	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

Application Number: 16/805,677
Filing Date: 28 Feb 2020
Appellant(s): Morris, Robert, Paul

Patrick Caldwell
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 12, 2021.

(1) Grounds of Rejection to be Reviewed on Appeal

The Final Rejection of claims 1-13,15-18 of the Office Action mailed on October 30, 2020.

Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner.

Rejection of claims 1-13,15-18 under 35 U.S.C. 112(b) or 35 U.S.C. (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention.

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-13,15-23 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph as failing to comply with the written description requirement.

Claims 1-13,15-22 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 2013/0029730).

Claim 23 is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. in view of Leblang et al. (US 8,953,841).

(2) Response to Argument

On page 7 it is argued that disclosure is replete with supporting structure to set forth how a first object is detected and how a video is presented to direct a user to the first object. Although text of paragraphs 127,130,135 and 136 are listed, none of these citations from the specification support the claimed subject matter.

Paragraph 135 states that video data can be used to direct attention of user away from PED 602, but it doesn't state that video directs the user in a second direction towards the first object.

Additionally, paragraph 136 cites that a user is directed to look behind based on an image of an object in motion relative to PED 602, but this citation does not support "directing the user in a second direction towards the first object", and does not state that video is used. Furthermore, the claim requires video be displayed to direct the user in a second direction towards the first object, but the claim only discloses receiving video captured in a first direction, not in the direction of the first object which is in a second direction, so the claimed function of directing a user in a second direction toward the first object is inoperable. Furthermore, the image used to direct a user to look behind is based on an object in motion relative to PED 602, not specifically video of an object in the second direction.

It is further noted that "directing the user in a second direction" is not the same as directing a "user to look behind", since a user could look behind without being directed to move in that direction.

It appears that arguments presented on pages 13-18 are directed toward email exchanges regarding arguments presented by appellant after final, and many of these are not related to claimed subject matter. Only those relevant to the claimed subject matter are being addressed.

On page 13 appellant responds to rejection that video directing a user in a second direction towards the first object is not supported, but citing that video usage has support in the specification. The rejection was not that there was no support in the specification for video usage, just that specification does not support use of video to direct a user in a second direction toward a first object.

In paragraph 136 specifically, directing a user's attention behind user is based on rotation of an image in a UI element, which has nothing to do with user of display output 610 which could potentially provide video output.

On page 15 appellant cites paragraph 130 for directing user's attention away from the PED 502, but this citation provides no support for "presenting a video… that is viewable to the user for directing the user in a second direction towards the first object".

On page 17 paragraph 127 is cited to show support for directing a housing to be placed in position pointing the image capture device to the left of the user, but such provides no support for "presenting a video…that is viewable to the user for directing the user in a second direction towards the first object".

On page 18 appellant argues that Harada reference is not valid prior art, since it has a priority date of July 25, 2011, while current application claims priority to US application SN 13/045,556, filed March 11,2011.

However, current application is a CIP of SN 16/574,026, based on a CIP of SN 15/595,906, based on a CIP of SN 14/195,832, based on a CIP of SN 13/045,556 filed March 11, 2011.

However, application SN 13/045,556 does not include description of current claimed elements, and thus does not provide proof of establishment of claimed invention prior to Harada reference, and Harada is thus proper prior art for the "currently" claimed invention. It is noted that appellant has not presented evidence of support in SN 13/045,556 for "presenting a video by a display device of the portable electronic device, that is viewable to the user for directing the user in a second direction towards the first object".

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Conferees:

/JOSEPH H FEILD/
Supervisory Patent Examiner, Art Unit 2689

/BRIAN A ZIMMERMAN/
Supervisory Patent Examiner, Art Unit 2683

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 04/02/2021

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PO Box 59655
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Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
16/805,677	02/28/2020	Morris, Robert Paul	PMOR0091-CIP

	EXAMINER	
The Caldwell Firm, LLC PO Box 59655 Dept. SVIPGP Dallas, TX 75229	BRENT SWARTHOUT	
	ART UNIT	PAPER
	2689	20210329

DATE MAILED: _____

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Commissioner for Patents

REQUIREMENT TO PAY APPEAL FORWARDING FEE

In order to avoid dismissal of the instant appeal in any application or ex parte reexamination proceeding, 37 CFR 41.45 requires payment of an appeal forwarding fee within the time permitted by 37 CFR 41.45(a), unless appellant had timely paid the fee for filing a brief rerquired by 37 CFR 41.20(b) in effect on March 18, 2013.

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

PTO-90C (Rev.04-03)

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The Caldwell Firm, LLC
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Courtesy Reminder for
Application Serial No: 16/805,677

Attorney Docket No: PMOR0091-CIP
Customer Number: 92045
Date of Electronic Notification: 03/29/2021

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:
pcaldwell@thecaldwellfirm.com
eofficeaction@appcoll.com

To view your correspondence online or update your email addresses, please visit us anytime at **https://ppair-my.uspto.gov/pair/PrivatePair.**
If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Robert Paul Morris	Confirmation No.: 1967
Application No.:	16/805,677	Examiner: SWARTHOUT, BRENT
Filed:	02-28-2020	Art Unit: 2689
For:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION	Atty. Docket No.: PMOR0091-CIP Date: 04/30/2021

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Board of Patent Appeals and Interferences

REPLY BRIEF

This Reply Brief is in furtherance of the Notice of Appeal, filed in this case on 12/18/2020, and in response to the Examiner's Answer dated 04/02/2021.

ARGUMENT

The claims of the groups noted below do not stand or fall together. In the present section, appellant explains why the claims of each group are believed to be separately patentable.

Issue 1: Claims 1-13 and 15-18 rejection under 35 U.S.C. 112(b)

In the Final Rejection filed on 10/30/2020, the Examiner rejected claims 1-13 and 15-18 under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the Appellant), regards as the invention. Appellant has clarified claim 1 to avoid this rejection, and the Examiner has withdrawn such rejection.

Issue 2: Claims 1-13, 15-23 rejection under 35 U.S.C. 112(a)

In the Final Rejection filed on 10/30/2020, the Examiner also rejected claims 1-13, 15-23 under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner argues that "[i]n claims 1, 19 and 20 a video for directing a user in a second direction towards a first object is claimed, but no structure is set forth describing how a first object is detected or how a video is presented to direct a user to the first object." Appellant respectfully disagrees. The disclosure is replete with supporting structure (e.g., PED, motion monitor component, interaction monitor component, capture manager component, and attention director component, presentation subsystem, presentation controller component, interaction subsystem, attention service, image capture device, capture subsystem, and/or any one or more components thereof). See exemplary citations below (emphasis added):

> [0126] As described above, a capture manager component 406 may be configured to receive image data from one or more image capture devices in a plurality of image

capture devices. The image capture devices may be included in a PED 502 and/or located external to the PED 502 to capture image data from respective perspectives with respect to the PED 502. Receiving the image data may include identifying some or all of the image capture devices based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. Image data may be received from the identified image capture device or image capture devices. In one aspect, an attention criterion may be met based on an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include **IMAGE CAPTURE DEVICES IN A TOP PORTION, A LEFT PORTION, AND A RIGHT PORTION OF THE PED 502**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, THE ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the right portion of the PED 502**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** of may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the top portion of the PED 502**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT OF AN INTERACTION SUBSYSTEM 403** may interoperate with a **CAPTURE MANAGER COMPONENT 406** to **receive image data captured of the object from the image capture device in the left portion of the PED 502**.

[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from**

the PED user's perspective to receive image data captured of the object. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.

[0130] In FIG. 4a, **ATTENTION DIRECTOR COMPONENT 408A** may interoperate with **PRESENTATION SUBSYSTEM 417A**, directly and/or indirectly, to send image data for and object as and/or otherwise included in **attention information** to an output device to present an image of the object as an **attention output**. **The attention output may be presented to a user of a PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object.** For example, **an attention output** may attract, instruct, and/or otherwise **direct attention** from the user of PED 502 to receive sensory input from an object in front of the user, **BASED ON a met attention criterion**. Presentation subsystem 417a may be operatively coupled, directly and/or indirectly, to a display for presenting the image.

[0135] FIG. 6 illustrates user interface elements presented by a display of a portable electronic device. FIG. 6 illustrates **PED 602** including a **PRESENTATION SPACE 604 OF A DISPLAY DEVICE** included in PED 602. PED 602 is illustrated including input controls 606a-c for receiving user input in an interaction between the user and PED 602. FIG. 6 illustrates application window 608, which may be included in a user interface of an application at least partially operating in PED 602. **The user of PED 602 may be walking and interacting with the application via output presented via application window 608** and/or one or more input controls 606. **An ATTENTION CONDITION COMPONENT 425** in and/or otherwise operatively coupled to **PED 602 may determine that an attention criterion is met. Attention information** including **captured image data** may be sent, **IN RESPONSE**, to present **attention output** 610 **to direct attention of the user** away from PED 602 **to receive input from an object in motion relative to PED 602**. **Attention output 610 includes an image of the object presented based on received image data captured during the motion**. The image may be included in a still image and/or in a **video presented in attention output 610**.

[0136] … To direct a user to look behind, an attention output including an image of an object in motion relative to PED 602 may be presented in a UI element that rotates the image to indicate a direction behind the user. Attention outputs may also be defined to direct a user's audio attention, tactile attention, and/or other sensory attention.

It should be noted that such exemplary citations in the specification are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.

The following e-mail exchange occurred between Appellant and the Examiner on January 25-27, 2021:

> -------- Forwarded Message --------
> **Subject:** RE: PMOR0091-CIP (16/805,677) Proposed Amdnemnt
> **Date:** Wed, 27 Jan 2021 15:19:35 +0000
> **From:** Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
> **To:** Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
>
> Mr. Caldwell:
>
> Regarding the color coded presentation below and disclosure of paragraph 127: video is not disclosed, display device of PED not disclosed, display device visible to a user is not disclosed, directing a user in a second direction is not disclosed, directing a user toward a first object is not disclosed.
> It appears that Appellant is attempting to pick and choose select words from different sections of the paragraph to cobble together a narrative that performs an alleged function that isn't supported in the specification.
>
> What seems to be going on in paragraph 127 is that a PED can sense motion and in response somehow a housing is directed to be moved. Paragraph doesn't say what housing is a part of, doesn't say how image capture device is positioned with respect to PED since no correlation between PED and movable housing are disclosed. Appears that if motion is sensed in front of PED then image can be captured in front of PED. Any relationship between housing, PED and image capture device is very vague and convoluted, making it impossible to decipher what is meant by "direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object ".
>
> If paragraph 127 is the best Appellant has for supporting the current claim language, you might want to consider filing a CIP application that clearly discloses in the drawings and specification support for the claimed limitations.
>
> I have tried to convey in the clearest possible manner that Appellant has not provided teachings from the specification to support the claimed invention.

Any further correspondence regarding this issue should be done by official correspondence to be clear on the record.

Regards,

Brent Swarthout
AU 2689

From: Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
Sent: Monday, January 25, 2021 2:24 PM
To: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Subject: Re: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Examiner Swarthout,

Thank you for your email below. We are having difficultly understanding which portion of the last claim element is the basis for your 112 issue. As set forth by the color-coded support claim chart below, the claim elements at issue are clearly supported.
If you can please call me and explain (in person or by voicemail) why the analysis below is not sound (as to which claim element is not supported), that would be helpful so that we can more significantly amend the claims to address your 112 issue.
Of course, our hope is that the color-coded support claim chart below will help convince you of the existence of valid support for the current claims.
Please call at your convenience.

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.	[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an **object** in relative motion to a PED 502 to the **right** of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT**

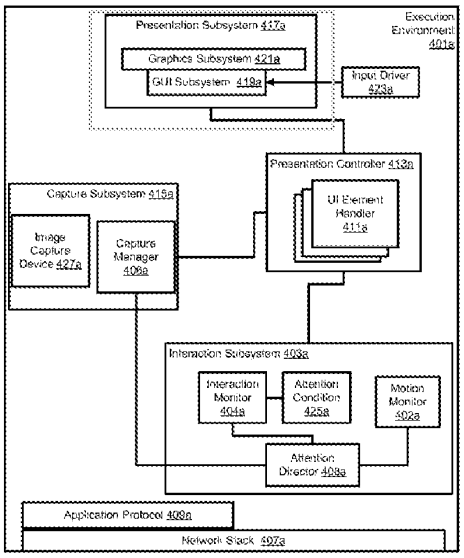
	may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.
Note: It should be noted that the foregoing exemplary citations in the specification (and chart) are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.	

Thanks,

Patrick

In response, Appellant offered the following to rebut the Examiner's arguments raised in the above e-mail exchange. It should be noted that, in the version of the claim chart below, any color-coding was replaced with "hatching" and various types of "underlining."

Examiner Argument (text formatting added)	**Appellant Rebuttal to be Presented on Appeal**
"video is not disclosed"	Appellant respectfully disagrees. As set forth in earlier communications, "image data" in the color-coded chart is disclosed to include still images OR "video." See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "video" claim term. [0135] ..."The image may be included in a still image and/or in a VIDEO presented in attention output 610." [0122] … "Exemplary capture devices include still image capture devices and VIDEO capture devices."
"display device of PED not disclosed"	Again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses presentation subsystem 417 a, where the presentation subsystem 417 a is clearly disclosed to include a "display device." See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "display device of the portable electronic device" claim phrase (emphasis added). [0018] "FIG. 4 a is a block diagram illustrating an arrangement of components for providing feedback to a user of a PORTABLE ELECTRONIC DEVICE in motion according to another aspect of the subject matter

	described herein;”  Fig. 4a [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. …Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a DISPLAY for presenting the image.” [0033] “Output device 130 may be a DISPLAY DEVICE. Exemplary display devices include liquid crystal displays (LCDs), light emitting diode (LED) displays, and projectors. Output device 130 presents output of execution environment 102 to one or more users.”
“display device visible to a user is not disclosed”	Yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a “display device” (e.g. presentation subsystem 417 a).

	Further, the same paragraphs also disclose that the video presented by the display device is viewable to the user. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "that is viewable to the user" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be PRESENTED TO A USER OF A PED 502 to alter a direction of, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502 causing the user to interact with the object. For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from an object in front of the user, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"directing a user in a second direction is not disclosed"	Still yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose directing the user in the second direction. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's technique "for directing the user in the second direction" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED 502 to ALTER A DIRECTION of, object of, and/or other attribute of attention for the user of the PED 502 to DIRECT THE USER'S ATTENTION AWAY FROM THE PED 502 causing the user to interact with the object.

	For example, an attention output may attract, instruct, and/or otherwise direct attention from the user of PED 502 to receive sensory input from an object in front of the user, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"directing a user toward a first object is not disclosed"	Even still yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose directing the user toward the first object. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "for directing the user …towards the first object" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an attention output. The attention output may be presented to a user of a PED 502 to alter a DIRECTION of, object of, and/or other attribute of attention for the user of the PED 502 to DIRECT the user's attention away from the PED 502 CAUSING THE USER TO INTERACT WITH THE OBJECT. For example, an attention output may attract, instruct, and/or otherwise DIRECT ATTENTION FROM THE USER OF PED 502 TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."
"Paragraph doesn't say what housing is a part of, doesn't say how image capture device is	In these statements, the Examiner appears to be departing from the original "support" rejection and is now switching gears to an "enablement" argument. Appellant respectfully and vehemently disagrees with this argument. Since there are no formal "enablement" rejections on the record, Appellant focuses herein on just the "support"

positioned with respect to PED since no correlation between PED and movable housing are disclosed."	rejection that will be presented on appeal.
TEXT FORMATTED CLAIM CHART	
presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.	[0127] In another aspect, an image capture device may be included in MOVABLE HOUSING. Receiving image data may include sending an instruction to a HOUSING CONTROLLER COMPONENT (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an object in relative motion to a PED 502 to the right of a PED user 510 of the PED 502. The PED 502 may include an IMAGE CAPTURE DEVICE in a MOVABLE HOUSING. In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met, an ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE SUBSYSTEM 415 to direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510, MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE SUBSYSTEM 415 to direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object. Alternatively or additionally, in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510, INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT may interoperate with a CAPTURE

	SUBSYSTEM 415 to direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object.
Note: Citations above are from US20120229378A1, the earliest priority document, which is incorporated by reference. It should be noted that the foregoing exemplary citations in the specification (and chart) are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.	

In response to the above, the Examiner asserted that "[t]here is still no support in the specification for the claimed subject matter." Appellant respectfully disagrees in view of the contents of the claim chart above.

In the Examiner's Answer mailed 04/02/2021, the Examiner argues as follows:

> 'On page 7 it is argued that disclosure is replete with supporting structure to set forth how a first object is detected and how a video is presented to direct a user to the first object. Although text of paragraphs 127, 130, 135 and 136 are listed, none of these citations from the specification support the claimed subject matter.
>
> Paragraph 135 states that video data can be used to direct attention of user away from PED 602, but it doesn't state that video directs the user in a second direction towards the first object.
>
> Additionally, paragraph 136 cites that a user is directed to look behind based on an image of an object in motion relative to PED 602, but this citation does not support "directing the user in a second direction towards the first object", and does not state that video is used. Furthermore, the claim requires video be displayed to direct the user in a second direction towards the first object, but the claim only discloses receiving video captured in a first direction, not in the direction of the first object which is in a second direction, so the claimed function of directing a user in a second direction toward the first object is inoperable. Furthermore, the image used to direct a user to look behind is based on an object in motion relative to PED 602, not specifically video of an object in the second direction.
>
> It is further noted that "directing the user in a second direction" is not the same as directing a "user to look behind", since a user could look behind without being directed to move in that direction.

It appears that arguments presented on pages 13-18 are directed toward email exchanges regarding arguments presented by appellant after final, and many of these are not related to claimed subject matter. Only those relevant to the claimed subject matter are being addressed.

On page 13 appellant responds to rejection that video directing a user in a second direction towards the first object is not supported, but citing that video usage has support in the specification. The rejection was not that there was no support in the specification for video usage, just that specification does not support use of video to direct a user in a second direction toward a first object.

In paragraph 136 specifically, directing a user's attention behind user is based on rotation of an image in a UI element, which has nothing to do with user of display output 610 which could potentially provide video output.'

However, the above arguments regarding Paragraph 135 and 136 are not relevant as Appellant did not rely on such Paragraph 135 and 136 for showing exemplary support for the claimed "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object." Instead, Appellant relies on the following portion of the aforementioned support chart that references Paragraphs [0127] & [0130]:

"directing a user toward a first object is not disclosed"	Even still yet again, Appellant respectfully disagrees. As set forth in earlier communications, this is clearly disclosed in Fig. 4a, and the description thereof. As mentioned above, Paragraph [0127] is one of a string of paragraphs (e.g. [0122]-[0127], [0130]) that all reference components in Fig. 4a which clearly discloses a "display device" (e.g. presentation subsystem 417 a). Further, the same paragraphs also disclose directing the user toward the first object. See the exemplary color-coded excerpts below that clearly provide exemplary support for Appellant's "for directing the user …towards the first object" claim phrase (emphasis added). [0130] "presentation subsystem 417 a, directly and/or indirectly, to send image data for and object as and/or otherwise included in attention information to an output device to present an image of the object as an

	attention output. The attention output may be presented to a user of a PED 502 to alter a DIRECTION of, object of, and/or other attribute of attention for the user of the PED 502 to DIRECT the user's attention away from the PED 502 CAUSING THE USER TO INTERACT WITH THE OBJECT. For example, an attention output may attract, instruct, and/or otherwise DIRECT ATTENTION FROM THE USER OF PED 502 TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER, based on a met attention criterion. Presentation subsystem 417 a may be operatively coupled, directly and/or indirectly, to a display for presenting the image."

In the Examiner's Answer mailed 04/02/2021, the Examiner addresses Paragraphs [0127] & [0130] (cited in the support claim chart above), as follows:

> 'On page 15 appellant cites paragraph 130 for directing user's attention away from the PED 502, but this citation provides no support for "presenting a video ... that is viewable to the user for directing the user in a second direction towards the first object".
>
> On page 17 paragraph 127 is cited to show support for directing a housing to be placed in position pointing the image capture device to the left of the user, but such provides no support for "presenting a video ... that is viewable to the user for directing the user in a second direction towards the first object".'

Paragraph [0127] was merely cited to show disclosure that "an image capture device may be included in movable housing" configured "to direct the housing to be placed in a position pointing the image capture device" in different directions (e.g. to "the right," "the left," "forward," etc. "of the PED 502 from the PED user's perspective"), in order "to receive image data captured of the object." Thus, Paragraph [0127] discloses the enabling (but NOT limiting) disclosure of "an image capture device … in [a] movable housing" that can "direct the housing to be placed in a position pointing the image capture device" in different directions (e.g. to "the right," "the left," "forward," etc.) so that, per Paragraph [0130], the apparatus presents a "video … that is viewable to the user for directing the user in a second direction towards the first object."

Specifically, per Paragraph [0130], an "**output may be presented** to a user of a PED 502 to **alter a DIRECTION** of, [and] **OBJECT** of, …. **attention for the user** of the PED 502 to **DIRECT the user's attention** away from the PED 502 **CAUSING THE USER TO INTERACT WITH THE OBJECT**. For example, an attention output may attract, instruct, and/or otherwise DIRECT ATTENTION FROM THE USER OF PED 502 **TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER**." (emphasis added).

Thus, contrary to the Examiner's conclusion regarding Paragraph [0130], Paragraph [0130] does ***NOT*** just disclose a system "for directing user's attention away from the PED 502," but rather also ***explicitly*** discloses a system to "direct the user's attention away from the PED 502 **CAUSING THE USER TO INTERACT WITH THE OBJECT**" and "direct attention from the user of PED 502 **TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER**" (emphasis added). Again, as set forth in Paragraph [0127], this is accomplished by the disclosed "image capture device … in [a] movable housing" that can "direct the housing to be placed in a position pointing the image capture device" in different directions (e.g. to "the right," "the left," "forward," etc.) so that, per Paragraph [0130], the system presents a "video … that is viewable to the user for directing the user in a second direction towards the first object," as claimed (e.g. direct the user's attention away from the PED 502 **CAUSING THE USER TO INTERACT WITH THE OBJECT**" and "direct attention from the user of PED 502 **TO RECEIVE SENSORY INPUT FROM AN OBJECT IN FRONT OF THE USER**" per Paragraph [0130], emphasis added).

Support for the claim phrase at issue is thus ***clearly*** supported.

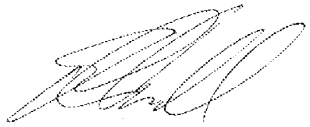
Issue 3: Claims 1-13, and 15-22 rejection under pre-AIA 35 U.S.C. 103(a)

In the Final Rejection filed on 10/30/2020, the Examiner also rejected claims 1-13, and 15-22 under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Harada et al. (US 2013/0029730). Harada claims the benefit of priority from prior Japanese Patent Application No. 2011-162528

filed on ***Jul. 25, 2011***. However, the instant application claims priority to U.S. Patent Application No. 13/045,556, filed on ***March 11, 2011***. Thus, Harada is ***not*** prior art.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 30 Apr 2021

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Electronic Acknowledgement Receipt	
EFS ID:	42611093
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	30-APR-2021
Filing Date:	28-FEB-2020
Time Stamp:	20:49:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reply Brief Filed	PMOR0091-CIP_Reply_Brief_vF_30-Apr-2021.pdf	220989 2a2d2826793d088eea2b8f101eccf389636d1d3f	no	17

Warnings:

Information:	
Total Files Size (in bytes):	220989

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.
National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 05/06/2021

The Caldwell Firm, LLC
PO Box 59655
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Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
05/06/2021	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):

eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROBERT PAUL MORRIS

Appeal 2021-003390
Application 16/805,677
Technology Center 2600

APPEAL DOCKETING NOTICE

The Patent Trial and Appeal Board received the appeal in the above-identified application from the Technology Center on May 04, 2021, and has assigned it the appeal number indicated above.

The recipient of this notice is reminded of its ongoing duty, within 20 days of any change during the proceeding, to update its mandatory notices to identify the real party-in-interest and each judicial or administrative proceeding that could affect, or be affected by, the Board proceeding. 37 C.F.R. § 41.8. For example, another docketed appeal in a related application may have the potential to affect, or be affected by, the Board proceeding.

In all future communications regarding this appeal, please include both the application number and the appeal number. Telephone inquiries can be made by calling 571-272-9797 and referencing the appeal number listed above. The mailing address for the Board is:

PATENT TRIAL and APPEAL BOARD
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

If you are interested in seeking expedited treatment for this appeal via the Board's Fast-Track Appeals Pilot Program, please consult our website at https://www.uspto.gov/patents/ptab/fast-track-appeals-pilot-program or the Federal Register Notice at https://www.federalregister.gov/documents/2020/07/02/2020-14244/fast-track-appeals-pilot-program for more information on how to participate and which appeals qualify.

Doc Code: PET. 41.3
Document Description: Petition under Rule 41.3 to Chief Admin Patent Judge PTO/SB/451 (07-20)

PETITION
Fast-Track Appeals Pilot Program

PART I. IDENTIFICATION OF THE APPEAL TO ACCORD FAST-TRACK STATUS

Appeal No.:	2021-003390	Application Number:	16/805,677
First Named Inventor:	Robert Paul Morris	Filing Date:	02/28/2020
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION		

PART II. CERTIFICATIONS: Appellant hereby certifies the following and petitions to participate in the Fast-Track Appeals Pilot Program for the above-identified appeal.

1. Appellant files this certification and petition under 37 CFR 41.3 to include the appeal in the application identified in Part I (above) in the Fast-Track Appeals Pilot Program.

2. The above-identified appeal is pending before the Patent Trial and Appeal Board (PTAB) and a docketing notice has been issued.

3. The petition fee for filing a petition under 37 CFR 41.3 accompanies this petition.

4. The above-identified appeal is currently not treated as special under MPEP 708.01 (e.g., age or health of the inventor).

5. The registered practitioner submitting this certification and petition has a power of attorney (37 CFR 1.32), or has authority to act (37 CFR 1.34), for the above-identified application, or the appellant is prosecuting the appellant's own case (37 CFR 1.31).

PART III. ORAL HEARING: For informational purposes, please indicate whether Appellant has filed a compliant Request for Oral Hearing per 37 CFR 41.47 for the above-identified appeal:

Yes ☐ No X

☐ If yes, Appellant hereby waives the Oral Hearing. (Appellant is not required to waive an Oral Hearing to participate in the Fast-Track Patent Appeal Pilot.)

/Patrick Caldwell/ Signature	17 May 2021 Date
Patrick Caldwell Name (Print/Typed)	Practitioner Registration Number *44580*

Note: *This form must be signed in accordance with 37 CFR 1.33 and consistent with Certification 5 above. See 37 CFR 1.4(d) for signature requirements and certifications.*
*Submit multiple forms if more than one signature is required.**

*Total of _____forms are submitted.

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
PETITIONS TO THE CHIEF		2405	1	420	420
Post-Allowance-and-Post-Issuance:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**420**

Electronic Acknowledgement Receipt	
EFS ID:	42746123
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	17-MAY-2021
Filing Date:	28-FEB-2020
Time Stamp:	23:49:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$420
RAM confirmation Number	E20215GN52182213
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition under Rule 41.3 to Chief Admin Patent Judge	PMOR0091-CIP_SB451_vF_17-May-2021.pdf	37581 82d667f325c87ed162bb1840e1e8640550eb305f	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30778 9831415b49f3782cf6afe4ba7fd6e088fd33c2be	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	68359		

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New Applications Under 35 U.S.C. 111
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National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.
New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 05/19/2021

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
2689	

NOTIFICATION DATE	DELIVERY MODE
05/19/2021	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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pcaldwell@thecaldwellfirm.com
eofficeaction@appcoll.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Appeal 2021-003390
Application 16/805,677
Technology Center 2600

DECISION ON PETITION

This is a decision on the petition filed on May 17, 2021 under the provisions of 37 C.F.R. § 41.3 and the Fast-Track Appeals Pilot Program. The petition satisfies the requirements of 85 Fed. Reg. 39,888 (July 2, 2020). Accordingly, the petition is GRANTED.

Appeal 2021-003390 is hereby accorded fast-track status.

If there are any questions pertaining to this decision on petition, please contact the Patent Trial and Appeal Board at 571-272-9797.

BAR/MB

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06/18/2021	ELECTRONIC

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eofficeaction@appcoll.com
pcaldwell@thecaldwellfirm.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROBERT PAUL MORRIS

Appeal 2021-003390
Application 16/805,677
Technology Center 2600

Before JASON J. CHUNG, BETH Z. SHAW, and
MATTHEW J. McNEILL, *Administrative Patent Judges*.

CHUNG, *Administrative Patent Judge*.

DECISION ON APPEAL[1]

Pursuant to 35 U.S.C. § 134(a), Appellant appeals the Final Rejection of claims 1–13 and 15–23.[2] We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

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[1] We use the word "Appellant" to refer to "applicant" as defined in 37 C.F.R. § 1.42. According to Appellant, Sitting Man, LLC is the real party in interest. Appeal Br. 3.
[2] Claim 14 is cancelled. Appeal Br. 20.

INVENTION

The invention relates to detecting movement of a portable electronic device. Abstract. Claims 1 is illustrative of the invention and is reproduced below with emphasis denoting the disputed limitation:

> 1. A method, comprising:
>
> detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;
>
> receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and
>
> *presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object.*

Appeal Br. 19 (Claims Appendix) (emphasis added).

REJECTIONS[3]

The Examiner rejects claims 1–13 and 15–23 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Final Act. 2.

The Examiner rejects claims 1–13 and 15–22 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Harada (US 2013/0029730 A1; filed June 27, 2012; pub. Jan. 31, 2013). Final Act. 2–3.

The Examiner rejects claim 23 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Harada and Leblang (US 8,953,841; filed Sept. 7, 2012; iss. Feb. 10, 2015). Final Act. 3–4.

---

[3] The rejection of claims 1–13 and 15–18 under 35 U.S.C. § 112(b) is withdrawn. Ans. 3.

ANALYSIS

I. Claims 1–13 and 15–23 Rejected Under 35 U.S.C. § 112, first paragraph

The Examiner finds that there is no support for the limitation "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object" recited in claim 1 (and similarly recited in claims 19 and 20) because there is no support setting forth how a first object is detected or how a video is presented to direct a user to the first object. Ans. 4–5; Final Act. 2.

Appellant argues that paragraphs 126, 127, 130, 135, and 136 from the specification of parent application 13/045,556 (hereinafter "556 Specification" or "556 Spec.") provide support for the limitation "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object" recited in claim 1. Appeal Br. 7–18; Reply Br. 2–16. We agree with Appellant.

At the outset, the Examiner's finding that there is no support setting forth "how a first object is detected" is misplaced. Final Act. 2; Ans. 4–5. In particular, the present claims do not recite detecting a first object (or the like). To the extent that the Examiner intended to say there is no support setting forth the limitation "detecting a movement of a portable electronic device in a first direction," we disagree because the 556 Specification provides numerous disclosures of that limitation. Appeal Br. 8, 11, 12, 17 (citing 556 Spec. ¶¶ 126–127) ("motion monitor component 402 detecting the PED 502 in motion"); *see also e.g.*, 556 Spec. ¶¶ 64–68 ("motion monitor component 302 in Fig. 3 may detect a PED 502 in motion," "A

motion monitor component 402 may detect a PED 502," etc.).

Moreover, we agree with Appellant's argument that 126, 127, 130, 135, and 136 from the 556 Specification provides support for the limitation "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object" recited in claim 1. Appeal Br. 7–18 (citing 556 Spec. ¶¶ 126, 127, 130, 135, and 136); Reply Br. 2–16 (citing 556 Spec. ¶¶ 126, 127, 130, and 135, 136). For example, "[t]he image may be included in a still image and/or in a *video presented* in attention output" (556 Spec. ¶ 135 (emphasis added)) provides support for the limitation "presenting a video"; "[Figure] 6 illustrates PED 602 including a presentation space 604 *of a display device* included in PED 602" (556 Spec. ¶ 135 (emphasis added)) provides support for the limitation "by a display device"; "[t]he attention output may be *presented to a user* of a PED 502" provides support for the limitation "that is viewable to the user" (556 Spec. ¶ 130 (emphasis added)); "*to alter a direction of*, object of, and/or other attribute of attention for the user of the PED 502 to direct the user's attention away from the PED 502" provides support for the limitation "for directing the user in a second direction" (556 Spec. ¶ 134 (emphasis added)); and "causing the user to *interact with the object*" provides support for the limitation "towards the first object" (556 Spec. ¶ 134 (emphasis added)).

The Examiner finds "'directing the user in a second direction' is not the same as directing a 'user to look behind,' *since a user could look behind without being directed to move in that direction*." Ans. 4 (emphasis added). The present claims do not require actual movement by the user, however. In other words, a user can be directed to look in a second direction, but the user

does not have to look in the second direction or move in the second direction.

Accordingly, we do not sustain the Examiner's rejection of: (1) independent claims 1, 19, and 20; and (2) dependent claims 2–13, 15–18, and 21–23 under 35 U.S.C. § 112, first paragraph.

II. Claims 1–13, 15–23 Rejected Under 35 U.S.C. § 103(a)

The Examiner finds Harada teaches the limitation "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object" recited in claim 1 (and similarly recited in claims 19 and 20). Final Act. 2–3.

Appellant argues Harada is not prior art to this application because Harada's priority data does not precede the March 11, 2011 priority date of the instant application. We agree with Appellant.

As stated *supra* in section I, the 556 Specification provides support for the limitation "presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards the first object" recited in claim 1 (and similarly recited in claims 19 and 20). Moreover, the 556 Specification has a filing date of March 11, 2011, which precedes Harada's priority date. Therefore, Harada is not prior art to this application.

Accordingly, we do not sustain the Examiner's rejection of: (1) independent claims 1, 19, and 20; and (2) dependent claims 2–13, 15–18, and 21–23 under 35 U.S.C. § 103(a).

DECISION SUMMARY

In summary:

Claim(s) Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1–13, 15–23	112	Written Description		1–13, 15–23
1–13, 15–22	103(a)	Harada		1–13, 15–22
23	103(a)	Harada, Leblang		23
Overall Outcome				1–13, 15–23

REVERSED

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92045 7590 08/27/2021

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EXAMINER	
SWARTHOUT, BRENT	

ART UNIT	PAPER NUMBER
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pcaldwell@thecaldwellfirm.com

Office Action Summary	**Application No.** 16/805,677	**Applicant(s)** Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	**Art Unit** 2689	**AIA (FITF) Status** No

-- 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 2 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 6-18-21.

☐ 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) 1-13 and 15-23 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☑ Claim(s) 1-13 and 15-23 is/are allowed.

7) ☐ Claim(s) _____ 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 _____ 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 _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. The disclosure is objected to because of the following informalities: the status of applications listed in paragraph Nos. 1,2, and 4-11 on pages 1,3 and 4 of the specification has not been updated to indicate whether applications have a U.S. Patent No. or have been abandoned. The application cannot be passed to issue until the status of the applications has been updated.

Appropriate correction is required.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Geelen discloses a navigation method comprising detecting a movement of a portable electronic device 10 (Fig. 2) in a first direction (arrow 3)(paragraph 120, video image is shown in the direction along which the device 10 is traveling), receiving video data on a display 18 (par. 120,par. 75) captured in a first direction of movement of electronic device 10, where a first object (perpendicular road (Fig. 2) is in a second direction (perpendicular to direction of arrow 3), and presenting a video by a display device 18. 2,5,6) that is viewable to a user for directing the user in a second direction (direction that arrow 5 is pointing) towards the first object (perpendicular road(Figs. 2,5,6). It is further noted that device 10 can be hand-held such as a PDA (par. 4), in which case movement of device 10 would have been a result of a user moving in a first direction.

Geelen has not been used to reject the claims in the application. In determining that the claims were allowable in the Board decision mailed 6-18-21, the Board stated that the claim term “directing the user in a second direction towards the first object” had support in the specification at paragraph No. 134.

The only support referred to in paragraph No. 134 is an object detected to be in motion relative to the portable electronic device”, so the “object” in the claims is limited to an object detected to be in

motion relative to the portable electronic device. The Geelen reference does not particularly disclose the concept of detecting an object in motion relative to the portable electronic device, and as such, the object (perpendicular road) in Geelen does not satisfy the claimed concept of a display device viewable to a user for directing the user in a second direction towards a first object detected to be in motion relative to the portable electronic device.

3. This application is in condition for allowance except for the following formal matters:

See Paragraph No. 1 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO (2) MONTHS** from the mailing date of this letter. Extensions of time may be granted under 37 CFR 1.136 but in no case can any extension carry the date for reply to this Office action beyond the maximum period of SIX MONTHS set by statute (35 U.S.C. 133).

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of References Cited	Application/Control No. 16/805,677	Applicant(s)/Patent Under Reexamination Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20120185165-A1	07-2012	Geelen; Pieter	G01C21/26	701/436
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
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	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS
updated tsl	08/20/2020	BAS
updated tsl	09/22/2020	BAS
updated tsl	10/27/2020	BAS
updated tsl	08/24/2021	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS
updated	tsl	08/20/2020	BAS
updated	tsl	09/22/2020	BAS
updated	tsl	10/27/2020	BAS
updated	tsl	08/24/2021	BAS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS
EAST	10/27/2020	BAS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/07/2020	05/11/2020	06/30/2020	08/20/2020	09/22/2020	10/27/2020	08/24/2021		
	1	✓	✓	✓	✓	✓	✓	=		
	2	✓	✓	✓	✓	✓	✓	=		
	3	✓	✓	✓	✓	✓	✓	=		
	4	✓	✓	✓	✓	✓	✓	=		
	5	✓	✓	✓	✓	✓	✓	=		
	6	✓	✓	✓	✓	✓	✓	=		
	7	✓	✓	✓	✓	✓	✓	=		
	8	✓	✓	✓	✓	✓	✓	=		
	9	✓	✓	✓	✓	✓	✓	=		
	10	✓	✓	✓	✓	✓	✓	=		
	11	✓	✓	✓	✓	✓	✓	=		
	12	✓	✓	✓	✓	✓	✓	=		
	13	✓	✓	✓	✓	✓	✓	=		
	14	✓	✓	-	-	-	-	-		
	15	✓	✓	✓	✓	✓	✓	=		
	16	✓	✓	✓	✓	✓	✓	=		
	17	✓	✓	✓	✓	✓	✓	=		
	18	✓	✓	✓	✓	✓	✓	=		
	19	✓	✓	✓	✓	✓	✓	=		
	20	✓	✓	✓	✓	✓	✓	=		
	21			✓	✓	✓	✓	=		
	22			✓	✓	✓	✓	=		
	23			✓	✓	✓	✓	=		

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 16/805,677	Filing Date 02/28/2020	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 =	* 0		x $50 =	0
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	* 0		x $230 =	0
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	0

APPLICATION AS AMENDED - PART II

AMENDMENT	08/31/2021	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 47	Minus	** 22	= 25		x $50 =	1250
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	1250

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=		x $0 =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=		x $0 =	
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.	LIE
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".	/GERALDINE L STANLEY/
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".	
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.	

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IN THE CLAIMS

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.

2. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for directing an attention of the user to the first object.

3. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information for instructing the user to direct an attention to the first object.

4. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information indicating a location of the first object.

5. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information including directional information indicating directions to the first object.

6. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia including directional information indicating directions to the first object.

7. (Previously Presented) The method of claim 1 wherein indicia is integrated with the video, the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

8. (Previously Presented) The method of claim 1 wherein first indicia and second indicia are integrated with the video, the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

9. (Previously Presented) The method of claim 8 wherein the first indicia and the second indicia are updated based on the movement of the device.

10. (Previously Presented) The method of claim 8 wherein the first indicia includes a direction indicator.

11. (Previously Presented) The method of claim 8 wherein the first indicia includes a label.

12. (Currently Amended) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation of the video, the tactile feedback being output based on a location of the first object.

13. (Currently Amended) The method of claim 1 wherein tactile feedback is output simultaneously with the presentation of the video, the tactile feedback being output based on a movement of the portable electronic device.

14. (Cancelled)

15. (Previously Presented) The method of claim 1 wherein the video includes data reflecting a video capture of surroundings of the first object.

16. (Previously Presented) The method of claim 1 wherein the first object includes a location.

17. (Currently Amended) The method of claim 1 and further comprising:

detecting a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable electronic device, updating the presentation of the video by the display device of the portable electronic device.

18. (Previously Presented) The method of claim 1 wherein the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

19. (Currently Amended) A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by the display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.

20. (Currently Amended) A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.

21. (Previously Presented) The method of claim 1 wherein the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

22. (Previously Presented) The method of claim 1 and further comprising: detecting additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receiving additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, presenting additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

23. (Previously Presented) The method of claim 1 wherein information is integrated with the video, the information being received via a data store including location information for objects with fixed locations.

24. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that information is integrated with the video, the information for directing an attention of the user to the first object.

25. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that information is integrated with the video, the information for instructing the user to direct an attention to the first object.

26. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that information is integrated with the video, the information indicating a location of the first object.

27. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that information is integrated with the video, the information including directional information indicating directions to the first object.

28. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that indicia is integrated with the video, the indicia including directional information indicating directions to the first object.

29. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that indicia is integrated with the video, the indicia indicating directions to the first object, where a location of the indicia on the display device of the portable electronic device is based on a relative position between the first object and the portable electronic device.

30. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that first indicia and second indicia are integrated with the video, the first indicia indicating directions to the first object, the second indicia indicating a distance to the first object.

31. (New) The computer-readable media of claim 30 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the first indicia and the second indicia are updated based on the movement of the device.

32. (New) The computer-readable media of claim 30 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the first indicia includes a direction indicator.

33. (New) The computer-readable media of claim 30 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the first indicia includes a label.

34. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that tactile feedback is output simultaneously with the presentation of the video, the tactile feedback being output based on a location of the first object.

35. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that tactile feedback is output simultaneously with the presentation of the video, the tactile feedback being output based on a movement of the portable electronic device.

36. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the video includes data reflecting a video capture of surroundings of the first object.

37. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the first object includes a location.

38. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to:

detect a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable electronic device, update the presentation of the video by the display device of the portable electronic device.

39. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device.

40. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

41. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to: detect additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receive additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, present additional video by the display

device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

42. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that information is integrated with the video, the information being received via a data store including location information for objects with fixed locations.

43. (New) The computer-readable media of claim 20 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that:

information is integrated with the video, the information for: directing an attention of the user to the first object where the first object includes a location, indicating a location of the first object based on a relative position between the first object and the portable electronic device, and indicating one or more directions to the first object and a distance to the first object;

the information includes a first indicia indicating the one or more directions to the first object using a direction indicator, and a second indicia indicating the distance to the first object;

tactile feedback is output simultaneously with the presentation of the video, the tactile feedback being output based on a location of the first object and a movement of the portable electronic device;

the video includes data reflecting a video capture of surroundings of the first object;

the video is conditionally presented by the display device of the portable electronic device, based on a detected position of the portable electronic device; and

wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to:

detect a change in the movement of the portable electronic device;

in response to detecting the change in the movement of the portable electronic device, update the presentation of the video by the display device of the portable electronic device.

44. (New) The computer-readable media of claim 43 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the user is directed in the second direction towards the first object which is not initially presented in the video, so that the user is directed to walk in the second direction for directing an attention of the user to the first object.

45. (New) The computer-readable media of claim 44 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the information is received via a data store and includes location information for objects with fixed locations.

46. (New) The computer-readable media of claim 44 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the location is fixed in position, and the information is received via a data store and includes location information for objects with fixed locations, including the first object.

47. (New) The computer-readable media of claim 43 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable

electronic device to: detect additional movement of the portable electronic device in the second direction, that results from the user walking with the portable electronic device in the second direction; receive additional video data, that includes the first object, captured by the video capture device during the additional movement of the portable electronic device in the second direction; and utilizing the additional video data, present additional video by the display device of the portable electronic device that is viewable to the user for directing an attention of the user in connection with the first object that is presented in the additional video.

48. (New) The computer-readable media of claim 47 wherein the instructions, when executed by the one or more processors of the portable electronic device, cause the portable electronic device to operate such that the information is received via a data store and includes location information for objects with fixed locations.

Remarks:

The specification has been updated in response to the Examiner's request.

The Examiner states the following:

> "The only support referred to in paragraph No. 134 is an object detected to be in motion relative to the portable electronic device", so the "object" in the claims is limited to an object detected to be in motion relative to the portable electronic device. The Geelen reference does not particularly disclose the concept of detecting an object in motion relative to the portable electronic device, and as such, the object (perpendicular road) in Geelen does not satisfy the claimed concept of a display device viewable to a user for directing the user in a second direction towards a first object detected to be in motion relative to the portable electronic device."

The specification includes support for stationary objects (e.g. "another object such as wall 512"), as well. Thus, applicant respectfully asserts that, when the Examiner states that 'the "object" in the claims is limited to an object detected to be in motion relative to the portable electronic device,' it is assumed that such "relative" motion may also refer (i.e. cover) situations where the object is stationary (e.g. has a fixed location) and the portable electronic device is the only entity that moves, per the claimed "detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction." If the Examiner disagrees with this interpretation, the Examiner is respectfully requested to re-open prosecution.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other

claims) that have not been expressed. Still yet, nothing in this reply should be construed as intention to concede any issue with regard to any claim, except as specifically stated in this reply. Finally, it should be noted that no claims are intended to be construed under 35 U.S.C. 112, paragraph 6.

Respectfully submitted,



Dated: 31 Aug 2021

Patrick E. Caldwell, Esq.
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Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
CLAIMS IN EXCESS OF 20		2202	25	50	1250
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1250**

Electronic Acknowledgement Receipt	
EFS ID:	43653126
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	31-AUG-2021
Filing Date:	28-FEB-2020
Time Stamp:	18:02:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$1250
RAM confirmation Number	E20218UI02531992
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1		PMOR0091-CIP_ROA_vF_31-Aug-2021.pdf	101672 7bf95d8bc730cdb135f530a54f13a8a97161db89	yes	16
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	3	
	Claims		4	14	
	Amendment Copy Claims/Response to Suggested Claims		15	16	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	38242 0d519e10cfe745cdb181289f15eb60aa7091d9aa	no	2
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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ROBERT PAUL MORRIS Application No.: 16/805,677 File Date: 02/28/2020 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Confirmation No.: 1967 Examiner: SWARTHOUT, BRENT Art Unit: 2457 Docket No.: PMOR0091-CIP Date: 8/31/2021

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2021-08-27, please consider the following believed to place the claims in condition for allowance.

IN THE SPECIFICATION

Please amend the specification as follows:

[0001] This application is a continuation-in-part of U.S. Patent Application No. 16/574,026, filed September 17, 2019, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," is a continuation of U.S. Patent Application No. 15/921,636, filed March 14, 2018, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," (now abandoned) which is a continuation-in-part of U.S. Patent Application No. 15/595,906, filed May 15, 2017, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER IN MOTION," (now abandoned) which is a continuation of U.S. Patent Application No. 14/195,832, filed March 3, 2014, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING STEERING-CONTROL FEEDBACK TO AN OPERATOR OF AN AUTOMOTIVE VEHICLE," (now abandoned) which is a continuation of U.S. Patent Application No. 13/045,556, filed on March 11, 2011, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION" (now abandoned).

INCORPORATED APPLICATIONS

[0002] U.S. Patent Application No. 13/045,556, filed on March 11, 2011, titled "METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION (now abandoned) is incorporated by reference in its entirety for all purposes.

[0003] Still yet, the entire disclosures of the following applications are incorporated by reference herein for all purposes:

[0004] Application Ser. No. 13/023,883 (US 2012-0200406 A1 - Docket No 0075) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Directing Attention of an Occupant of an Automotive Vehicle to a Viewport" (now abandoned);

[0005] Application Ser. No. 13/023,916 (US 2012-0200403 A1 - Docket No 0133) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Directing Attention to a Sequence of Viewports of an Automotive Vehicle" (now abandoned);

[0006] Application Ser. No. 13/025,939 (US 2012-0209474 A1 - Docket No 0166) filed on 2011 Feb. 11, entitled "Methods, Systems, and Program Products for Providing Steering-Control Feedback to an Operator of an Automotive Vehicle" (now USPN8666603);

[0007] Application Ser. No. 13/025,944 (US 2012-0206268 A1 - Docket No 0168) filed on 2011 Feb. 11, entitled "Methods, Systems, and Program Products for Managing Attention of a User of a Portable Electronic Device" (now abandoned);

[0008] Application Ser. No. 13/024,444 (US 2012-0206254 A1 - Docket No 0169) filed on 2011 Feb. 10, entitled "Methods, Systems, and Program Products for Managing Operation of a Portable Electronic Device" (now USPN8902054);

[0009] Application Ser. No. 13/023,932 (US 2012-0200404 A1 - Docket No 0170) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Altering Attention of an Automotive Vehicle Operator" (now abandoned);

[0010] Application Ser. No. 13/023,952 (US 2012-0200407 A1 - Docket No 0171) filed on 2011 Feb. 9, entitled "Methods, Systems, and Program Products for Managing Attention of an Operator of an Automotive Vehicle" (now abandoned); and

[0011] Application Ser. No. 13/024,466 (US 2012-0206255 A1 - Docket No 0179) filed on 2011 Feb. 10, entitled "Methods, Systems, and Program Products for Managing Operation of an Automotive Vehicle" (now USPN8773251).

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NOTICE OF ALLOWANCE AND FEE(S) DUE

92045 7590 09/10/2021

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	
ART UNIT	PAPER NUMBER
2689	

DATE MAILED: 09/10/2021

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

TITLE OF INVENTION: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	12/10/2021

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

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If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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92045 7590 09/10/2021

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(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

TITLE OF INVENTION: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	12/10/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWARTHOUT, BRENT	2689	340-439000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1_____
2_____
3_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. Fees submitted: ❑Issue Fee ❑Publication Fee (if required) ❑Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

92045 7590 09/10/2021

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

EXAMINER	
SWARTHOUT, BRENT	
ART UNIT	PAPER NUMBER
2689	

DATE MAILED: 09/10/2021

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 16/805,677	Applicant(s) Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	AIA (FITF) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☑ This communication is responsive to amendment filed 8-31-21.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ 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.

3. ☑ The allowed claim(s) is/are 1-13 and 15-23 . As a result of the allowed claim(s), 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.**

4. ☐ 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)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☑ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date. _____.
5. ☐ Examiner's Amendment/Comment
6. ☑ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

1. A Quayle action was mailed on 8-27-21 effectively closing prosecution on the merits.

In an amendment filed 8-31-21, applicant attempted to introduce newly filed claims 24-48. These claims have not been entered since prosecution on the merits has been closed, and these claims would at a minimum have to be reviewed for 35 USC 112 (a) and (b) compliance as well as new matter considerations. As such, claims 1-13 and 15-23 are the only claims pending in the application.

2. Claims 1-13 and 15-23 are allowed.

3. The following is an examiner's statement of reasons for allowance: the prior art does not adequately disclose a method of detecting movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction, receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction, and presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards a first object, which is detected to be in motion relative to the portable electronic device..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Regarding remarks submitted by applicant on 8-31-21, it is stated that the specification supports stationary objects. Examiner does not dispute that the specification supports stationary objects. Paragraph 72 of the specification clearly stipulates that wall 512 can reflect a signal 508b, which can be used to detect distance between wall and PED 502b, or determine size of wall, or material of wall or relative motion between wall and PED 502b. However, the specification is silent as to presenting a video by a display device of the portable electronic device that is viewable to the user for directing the

user in a second direction towards a wall, in which the wall is in a second direction with respect to a first direction of a video captured by a video capture device captured while a portable electronic device moves in a first direction.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Geelen discloses a navigation method comprising detecting a movement of a portable electronic device 10 (Fig. 2) in a first direction (arrow 3) (paragraph 120, video image is shown in the direction along which the device 10 is traveling), receiving video data on a display 18 (par. 120, par. 75) captured in a first direction of movement of electronic device 10, where a first object (perpendicular road (Fig. 2) is in a second direction (perpendicular to direction of arrow 3A)Z, and presenting a video by a display device 18 (2,5,6) that is viewable to a user for directing the user in a second direction (direction that arrow 5 is pointing) towards the first object (perpendicular road (Figs. 2,5,6). It is noted that device 10 can be hand-held such as a PDA (par. 4), in which case movement of device 10 would have been a result of a user moving in a first direction.

6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT SWARTHOUT whose telephone number is (571)272-2979. The examiner can normally be reached on M-Th from 6 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://portal.uspto.gov/external/portal. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BRENT SWARTHOUT/
Primary Examiner, Art Unit 2689

Notice of References Cited	Application/Control No. 16/805,677	Applicant(s)/Patent Under Reexamination Morris, Robert Paul	
	Examiner BRENT SWARTHOUT	Art Unit 2689	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20120185165-A1	07-2012	Geelen; Pieter	G01C21/26	701/436
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

CPC - Searched*		
Symbol	**Date**	**Examiner**
G08G 9/02, 1/0962,165,166; H04N 5/23218,232941,23219,2252,33, 7/183; text search limited	04/07/2020	BAS
updated tsl	05/11/2020	BAS
updated tsl	06/09/2020	BAS
updated tsl	06/30/2020	BAS
updated tsl	08/20/2020	BAS
updated tsl	09/22/2020	BAS
updated tsl	10/27/2020	BAS
updated tsl	08/24/2021	BAS
updated tsl	09/07/2021	BAS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
340	439	04/07/2020	BAS
updated	tsl	05/11/2020	BAS
updated	tsl	06/09/2020	BAS
updated	tsl	06/30/2020	BAS
updated	tsl	08/20/2020	BAS
updated	tsl	09/22/2020	BAS
updated	tsl	10/27/2020	BAS
updated	tsl	08/24/2021	BAS
updated	tsl	09/07/2021	BAS

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
EAST	04/07/2020	BAS
EAST search would not print out due to internet disruption at time of prep. of Office action. search history in Examiner's case file.		
EAST	05/11/2020	BAS
EAST	06/09/2020	BAS
EAST	10/27/2020	BAS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
G08G	9/02, 1/0962,165,166;	09/07/2021	BAS
H04N	5/23218, 232941, 23219, 2252,33; 7/183	09/07/2021	BAS
340	439	09/07/2021	BAS

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	**Art Unit**
	BRENT SWARTHOUT	2689

CPC						
Symbol					**Type**	**Version**
G08G	/	9	/	02	F	2013-01-01
B60R	/	1	/	00	I	2013-01-01
H04N	/	7	/	183	I	2013-01-01
G08G	/	1	/	165	I	2013-01-01
G08G	/	1	/	0962	I	2013-01-01
H04N	/	5	/	23218	I	2018-08-01
H04N	/	5	/	232941	I	2018-08-01
H04N	/	5	/	23219	I	2013-01-01
G08G	/	1	/	166	I	2013-01-01
H04N	/	5	/	2252	A	2013-01-01
H04N	/	5	/	33	A	2013-01-01
B60R	/	2300	/	8093	A	2013-01-01

CPC Combination Sets							
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	22	
/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	07 September 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office — Part of Paper No.: 20210907

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

INTERNATIONAL CLASSIFICATION					
CLAIMED					
G01C	/	21	/	34	
NON-CLAIMED					
	/		/		

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS
340	439

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	22	
/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	07 September 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No.: 20210907

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	16/805,677	Morris, Robert Paul
	Examiner	Art Unit
	BRENT SWARTHOUT	2689

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	10	10	18	19										
2	2	11	11	19	20										
3	3	12	12	20	21										
4	4	13	13	21	22										
5	5		14	22	23										
6	6	14	15												
7	7	15	16												
8	8	16	17												
9	9	17	18												

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	22	
/BRENT SWARTHOUT/ Primary Examiner, Art Unit 2689	07 September 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office Part of Paper No.: 20210907

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Confirmation No.: 1967
ROBERT PAUL MORRIS	Examiner: SWARTHOUT, BRENT
Application No.: 16/805,677	Art Unit: 2457
File Date: 02/28/2020	Docket No.: PMOR0091-CIP
Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC DEVICE IN MOTION	Date: 8/31/2021

Do not enter
BAS
9-7-21
Post Quayle
Prosecution on merits closed

AMENDMENT

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

Examiner:

In response to the Office Action mailed 2021-08-27, please consider the following believed to place the claims in condition for allowance.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	614	(vehicle or car or automobile) same (accident or collision or crash or emergency) same balloon	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/16 12:55
L2	5,774	340/436,425.5,471.ccls.	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/16 12:56
L3	9	1 and 2	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/16 12:56
L4	161	((pedestrian or hand-held) near5 navigation near5 device) and (arrow with direction) and (imaging or camera or video)	US-PGPUB; USPAT; USOCR	OR	ON	2021/06/16 13:45

6/16/2021 1:56:53 PM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert Paul Morris Application No.: 16/805,677 File Date: 2020-02-28 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION	Confirmation No.: 1967 Examiner: Brent SWARTHOUT Art Unit: 2689 Docket No.: PMOR0091-CIP Date: Sep 10, 2021

EXAMINER INTERVIEW

Date of Interview	1/25/21; 1/27/21
Type of Interview	Telephonic/Email
Name of Participants	Patrick Caldwell, Brent SWARTHOUT
Exhibit shown?	Appendix A
Claims Discussed	Independent Claims
Prior Art Discussed	Yes
Substance of Interview	Reviewed proposed amendments with Examiner, and asked Examiner if they had any suggestions to help proceed towards an allowance.
Agreement Reached?	Yes

For Filing

From: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Sent: Monday, January 25, 2021 7:11 AM
To: Patrick E. Caldwell
Subject: RE: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Mr. Caldwell,

The proposed amendments do not fix the 112 rejections. There is still no support in the specification for the claimed subject matter.
If this is the extent that applicants plan to amend the claim, then the 112 rejections will remain in effect.
In your initial correspondence it was iterated that if the prior art rejection was withdrawn then case would be removed from appeal and a continuation would be filed.
In our subsequent conversation, you seemed to imply that applicants would only withdraw case from appeal if 112 rejection was overcome as well.
If applicants choose to go forward with appeal 112 rejections will remain in effect, but prior art rejection will be withdrawn.
The same criteria will apply if a continuation is filed.
Regards,

Brent Swarthout
AU 2689

From: Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
Sent: Friday, January 22, 2021 3:00 PM
To: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Subject: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Examiner Swarthout,

Please consider the following amendment, which may be entered in exchange for an allowance.

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in [[a]]the first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.

Please feel free to call me if you have any questions.
--

Thanks,
Patrick

Patrick E. Caldwell, Esq.
The Caldwell Firm, LLC
PO Box 59655
Dallas, Texas 75229-0655
+1.214.734.2313 (mobile)
http://www.thecaldwellfirm.com/

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For Filing

From: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Sent: Wednesday, January 27, 2021 7:20 AM
To: Patrick E. Caldwell
Subject: RE: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Mr. Caldwell:

Regarding the color coded presentation below and disclosure of paragraph 127: video is not disclosed, display device of PED not disclosed, display device visible to a user is not disclosed, directing a user in a second direction is not disclosed, directing a user toward a first object is not disclosed.
It appears that applicant is attempting to pick and choose select words from different sections of the paragraph to cobble together a narrative that performs an alleged function that isn't supported in the specification.

What seems to be going on in paragraph 127 is that a PED can sense motion and in response somehow a housing is directed to be moved. Paragraph doesn't say what housing is a part of, doesn't say how image capture device is positioned with respect to PED since no correlation between PED and movable housing are disclosed. Appears that if motion is sensed in front of PED then image can be captured in front of PED. Any relationship between housing, PED and image capture device is very vague and convoluted, making it impossible to decipher what is meant by "direct the housing to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object ".

If paragraph 127 is the best applicant has for supporting the current claim language, you might want to consider filing a CIP application that clearly discloses in the drawings and specification support for the claimed limitations.

I have tried to convey in the clearest possible manner that applicant has not provided teachings from the specification to support the claimed invention.
Any further correspondence regarding this issue should be done by official correspondence to be clear on the record.

Regards,

Brent Swarthout
AU 2689

From: Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
Sent: Monday, January 25, 2021 2:24 PM
To: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Subject: Re: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Examiner Swarthout,

Thank you for your email below. We are having difficultly understanding which portion of the last claim element is the basis for your 112 issue. As set forth by the color-coded support claim chart below, the claim elements at issue are clearly supported.

If you can please call me and explain (in person or by voicemail) why the analysis below is not sound (as to which claim element is not supported), that would be helpful so that we can more significantly amend the claims to address your 112 issue.

Of course, our hope is that the color-coded support claim chart below will help convince you of the existence of valid support for the current claims.

Please call at your convenience.

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.	[0127] In another aspect, an image capture device may be included in **MOVABLE HOUSING**. Receiving image data may include sending an instruction to a **HOUSING CONTROLLER COMPONENT** (not shown) to move the movable housing based on one or more of a detected motion of a portable electronic device, a detected interaction between a user and the portable electronic device, and a met attention criterion. In one aspect, an attention criterion may be met for an **object** in relative motion to a PED 502 to the **right** of a PED user 510 of the PED 502. The PED 502 may include an **IMAGE CAPTURE DEVICE** in a **MOVABLE HOUSING**. **In response to an ATTENTION CONDITION COMPONENT 425 detecting that the attention criterion is met**, an **ATTENTION CONDITION COMPONENT 425 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in a position pointing the image capture device to the right of the PED 502 from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to a MOTION MONITOR COMPONENT 402 detecting the PED 502 in motion relative to an object in front of the PED user 510**, **MOTION MONITOR COMPONENT 402 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device forward from the PED user's perspective to receive image data captured of the object**. Alternatively or additionally, **in response to an INTERACTION MONITOR COMPONENT 404 detecting the PED user 510 interacting with the PED 502 while in motion relative to an object to the left of the PED user 510**, **INTERACTION MONITOR COMPONENT 404 AND/OR ANOTHER COMPONENT** may interoperate with a **CAPTURE SUBSYSTEM 415** to **direct the HOUSING to be placed in position pointing the image capture device to the left of the PED 502 from the PED user's perspective to receive image data captured of the object**.
Note: It should be noted that the foregoing exemplary citations in the specification (and chart) are for illustrative purposes only (as there may be others), and should not be deemed limiting to the claim language in any way.	

Thanks,

Patrick

On 1/25/2021 09:11, Swarthout, Brent wrote:

Mr. Caldwell,

The proposed amendments do not fix the 112 rejections. There is still no support in the specification for the claimed subject matter.
If this is the extent that applicants plan to amend the claim, then the 112 rejections will remain in effect.
In your initial correspondence it was iterated that if the prior art rejection was withdrawn then case would be removed from appeal and a continuation would be filed.
In our subsequent conversation, you seemed to imply that applicants would only withdraw case from appeal if 112 rejection was overcome as well.
If applicants choose to go forward with appeal 112 rejections will remain in effect, but prior art rejection will be withdrawn.
The same criteria will apply if a continuation is filed.
Regards,

Brent Swarthout
AU 2689

From: Patrick E. Caldwell <pcaldwell@thecaldwellfirm.com>
Sent: Friday, January 22, 2021 3:00 PM
To: Swarthout, Brent <Brent.Swarthout@USPTO.GOV>
Subject: PMOR0091-CIP (16/805,677) Proposed Amdnemnt

Examiner Swarthout,

Please consider the following amendment, which may be entered in exchange for an allowance.

1. (Currently Amended) A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in [[a]]the first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in [[a]]the second direction towards the first object.

Please feel free to call me if you have any questions.
--

Thanks,
Patrick

Patrick E. Caldwell, Esq.
The Caldwell Firm, LLC
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Dallas, Texas 75229-0655
+1.214.734.2313 (mobile)
http://www.thecaldwellfirm.com/

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Electronic Patent Application Fee Transmittal					
Application Number:	16805677				
Filing Date:	28-Feb-2020				
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION				
First Named Inventor/Applicant Name:	Robert Paul Morris				
Filer:	Patrick Edgar Caldwell				
Attorney Docket Number:	PMOR0091-CIP				
Filed as Small Entity					
Filing Fees for Utility under 35 USC 111(a)					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
UTILITY APPL ISSUE FEE	2501	1	600	600
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**600**

Electronic Acknowledgement Receipt	
EFS ID:	43741216
Application Number:	16805677
International Application Number:	
Confirmation Number:	1967
Title of Invention:	METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION
First Named Inventor/Applicant Name:	Robert Paul Morris
Customer Number:	92045
Filer:	Patrick Edgar Caldwell
Filer Authorized By:	
Attorney Docket Number:	PMOR0091-CIP
Receipt Date:	11-SEP-2021
Filing Date:	28-FEB-2020
Time Stamp:	18:46:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$600
RAM confirmation Number	E20219AI47281624
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	PMOR0091-CIP_IssueFeeXMTL_vF_11-Sep-2021.pdf	219829 2d93d3f2a9f2fc44c8cc935c4dbc6c7a654097c7	no	1
Warnings:					
Information:					
2	Post Allowance Communication - Incoming	PMOR0091-CIP_Comments_vF_11-Sep-2021.pdf	88272 7e4bb4a97ee1a9fbda20ac9d6a1d766d477b58fc	no	5
Warnings:					
Information:					
3	Applicant summary of interview with examiner	PMOR0091-CIP_ExaminerInterview_20210911_vF.pdf	2921038 0910baf3fb87e4ceafe79d4a4faf9b39863bb7b0	no	7
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	40485 4748e138553e4b59f95357c0e05cc4ab6ca953fe	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	3269624		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

92045 7590 09/10/2021

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	02/28/2020	Robert Paul Morris	PMOR0091-CIP	1967

TITLE OF INVENTION: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$600	$0.00	$0.00	$600	12/10/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWARTHOUT, BRENT	2689	340-439000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Patrick E. Caldwell, Esq.
2 The Caldwell Firm, LLC
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Sitting Man, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Madison, GA

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. Fees submitted: ☒ Issue Fee ☒ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Patrick Caldwell/ Date 11 Sep 2021

Typed or printed name Patrick Caldwell Registration No. 44,580

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert Paul Morris Application No.: 16/805,677 File Date: 2020-02-28 Title: METHODS, SYSTEMS, AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING FEEDBACK TO A USER OF A PORTABLE ELECTRONIC IN MOTION	Confirmation No.: 1967 Examiner: Brent SWARTHOUT Art Unit: 2689 Docket No.: PMOR0091-CIP Date: Sep 10, 2021

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE UNDER 37 C.F.R. § 1.104(e)

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

Examiner:

In response to the Notice of Allowance dated 2021-09-10, please enter the following remarks.

Remarks:

The Examiner has stated the following in the Examiner's Statement of Reasons for Allowance:

> 3. The following is an examiner's statement of reasons for allowance: the prior art does not adequately disclose a method of detecting movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction, receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction, and presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in a second direction towards a first object, which is detected to be in motion relative to the portable electronic device.

In response, applicant respectfully points out that features of at least some of the independent claims (e.g. 1, 19, 20) are not necessarily the same as those the Examiner has highlighted above. For example, Claim 19 includes "A portable electronic device, comprising: a display device; an input device," in the context claimed.

As additional, non-exhaustive examples, Claims 1, 19, 20 recite the following, respectively:

1. A method, comprising:

detecting a movement of a portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receiving video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

presenting a video by a display device of the portable electronic device that is viewable to the user for directing the user in the second direction towards the first object.

19. A portable electronic device, comprising:

a display device;

an input device;

at least one non-transitory memory storing instructions; and

one or more processors in communication with the display device, the input device, and the at least one non-transitory memory, wherein the one or more processors execute the instructions to cause the portable electronic device to:

detect a movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by the display device of the portable electronic device that is viewable to the user for directing the user in the second direction towards the first object.

20. A non-transitory computer-readable media storing computer instructions that, when executed by one or more processors of a portable electronic device, cause the portable electronic device to:

detect movement of the portable electronic device in a first direction, that results from a user walking with the portable electronic device in the first direction;

receive video data captured in a first direction by a video capture device during the movement, where a first object is in a second direction; and

present a video by a display device of the portable electronic device that is viewable to the user for directing the user in the second direction towards the first object.

Clearly, at least some of the independent claims are not necessarily limited to the features that the Examiner has noted in the Examiner's Statement of Reasons for Allowance, as noted above (by way of example only). Instead, each of the claims should only be limited by the language existing therein.

Further, although Applicant agrees with the Examiner's conclusion that these claims are allowable, Applicant notes that the claims may be allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterizations of the terms of the claims and the prior art are correct. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Respectfully submitted,



Dated: 11 Sep 2021

The Caldwell Firm, LLC
PO Box 59655
Dallas, Texas 75229-0655
Telephone: (214) 734-2313
pcaldwell@thecaldwellfirm.com

Patrick E. Caldwell, Esq.
Reg. No. 44,580

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/805,677	10/12/2021	11145215	PMOR0091-CIP	1967

92045 7590 09/22/2021

The Caldwell Firm, LLC
PO Box 59655
Dept. SVIPGP
Dallas, TX 75229

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 18 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

SITTING MAN, LLC, Madison, GA;

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IR103 (Rev. 10/09)