

342	35709
Class	Subclass
ISSUE CLASSIFICATION	

PATENT NUMBER

6473031

6473031

U.S. UTILITY PATENT APPLICATION

Jc II
625

O.J.P.E.

PATENT DATE

SCANNED

Q.A

OCT 26 2002

APPLICATION NO. 09/690001	CONT/PRIOR	CLASS 342	SUBCLASS 357.09	ART UNIT 3662	EXAMINER Blum
------------------------------	------------	--------------	--------------------	------------------	------------------

APPLICANTS

Scott Harris

TITLE

Position privacy in an electronic device

PTO-2040
12/99

PREPARED AND APPROVED FOR ISSUE

ISSUING CLASSIFICATION										
ORIGINAL				CROSS REFERENCE(S)						
CLASS		SUBCLASS		CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					
342		357.09		342	357.1					
INTERNATIONAL CLASSIFICATION				701	215					
G01S	5 / 02			455	456					
H04B	7 / 185									
	/									
	/									
	/									

☐ Continued on Issue Slip Inside File Jacket

☐ TERMINAL DISCLAIMER	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg. <i>30</i>	Figs. Drwg. <i>5</i>	Print Fig. <i>2</i>	Total Claims <i>12</i>	Print Claim for O.G. <i>1</i>
☐ a) The term of this patent subsequent to _____ (date) has been disclaimed.	_____ (Assistant Examiner) _____ (Date)			NOTICE OF ALLOWANCE MAILED <i>5 - 29 - 02</i>	
	☐ b) The term of this patent shall not extend beyond the expiration date of U.S Patent. No. _____ _____ _____	<i>Theodore M. Blum</i> THEODORE M. BLUM PRIMARY EXAMINER _____ <i>528-02</i> _____ (Primary Examiner) (Date)			ISSUE FEE <i>505</i>
Amount Due <i>\$ 640</i>					Date Paid <i>8-27-02</i>
☐ c) The terminal ____ months of this patent have been disclaimed.	<i>Brown</i> <i>5/30/02</i> (Legal Instruments Examiner) (Date)			ISSUE BATCH NUMBER	
WARNING: The information disclosed herein may be restricted. Unauthorized disclosure may be prohibited by the United States Code Title 35, Sections 122, 181 and 368. Possession outside the U.S. Patent & Trademark Office is restricted to authorized employees and contractors only.					

Form **PTO-436A**
(Rev. 6/98)

(LABEL AREA)

Formal drawings (shd) shd

(FACE)

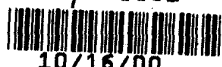
PATENT APPLICATION



09690001

JC920 U.S. PTO

09/690001



10/16/00

INITIALS _____

CONTENTS

	Date received (Incl. C. of M.) or Date Mailed	Date received (Incl. C. of M.) or Date Mailed
1. Application <u>Prints</u> papers.		
2. <u>IDS</u>	<u>10-10-00</u>	
3. <u>Section Make Sheet</u>	<u>10/16/00</u>	
4. <u>Section (on 12/22/00)</u>	<u>12/22/00</u>	
1-12. <u>ReJ (3 mos)</u>	<u>1-17-01</u>	
6. <u>Amtd A</u>	<u>2-12-01</u>	
4/117. <u>ReJ (3)</u>	<u>4-11-01</u>	
8. <u>Interview Summary</u>	<u>5-4-01</u>	
9. <u>Amtd B</u>	<u>7-16-01</u>	
10. <u>ReJ (3)</u>	<u>7/25/01</u>	
11. <u>Amtd C</u>	<u>10/18/01</u>	
12. <u>Final ReJ (3)</u>	<u>12-27-01</u>	
13. <u>Amtd D</u>	<u>2/21/02</u>	
14. <u>Adversary</u>	<u>02/27/02</u>	
15. <u>Notice of Appeal</u>	<u>3-21-02</u>	
16. <u>Adversary</u>	<u>3/21/02</u>	
17. <u>Adversary</u>	<u>3/29/02</u>	
18. <u>Amtd E</u>	<u>5-9-02</u>	
19. <u>Notice of Allow</u>	<u>5/29/02</u>	
20. <u>Notice of Allowance</u>	<u>5/29/02</u>	
21. <u>Drawings (2 sheets) est</u>	<u>9-10-02</u>	
22. <u>POA</u>	<u>5-18-11</u>	
23.		
24.		
25.		
26.		
27.		
28.		
29.		
30.		
31.		
32.		
33.		
34.		
35.		
36.		
37.		
38.		
39.		
40.		
41.		
42.		
43.		
44.		
45.		
46.		
47.		
48.		
49.		
50.		
51.		
52.		
53.		
54.		
55.		
56.		
57.		
58.		
59.		
60.		
61.		
62.		
63.		
64.		
65.		
66.		
67.		
68.		
69.		
70.		
71.		
72.		
73.		
74.		
75.		
76.		
77.		
78.		
79.		
80.		
81.		
82.		

(LEFT OUTSIDE)

DRS

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

1/30/2000 EEKUBAY1 00000085 09690001

FD:201	355.00 OP
FD:203	9.00 OP

PTO-1556
(5/87)

*U.S. GPO: 1969-459-082/19144

10-17-00

A

10/16/00

JC946US PTO

Please type a plus sign (+) inside this box → []

PTO/SB/05 (12/97) (modified)
Applicable for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	GPS PRIVACY/SCH	Total Pages	21
	First Named Inventor or Application Identifier			
	Scott C. Harris			
	Express Mail Label No.	EM 327 460 750 US		

JC946US PTO
09/16/00

10/16/00

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EM 327 460 750 US Date of Deposit: October 16, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Christy
Janet Christy

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. ☒ Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. ☒ Specification [Total Pages <u>13</u>] <i>(including)</i> - Descriptive title of the Invention - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) (5 pgs) - Abstract of the Disclosure (1 pg) 3. ☒ Drawing(s) (35 USC 113) [Total Sheets <u>3</u>] 4. ☒ Oath or Declaration [Total Pages <u>2</u>] a. ☒ Newly executed (original or copy) b. ☐ Copy from a prior application (37 CFR 1.63(d) <i>(for continuation/divisional with Box 17 completed)</i> <i>[Note Box 5 below]</i> i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) 5. ☐ Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	6. ☐ Microfiche Computer Program <i>(Appendix)</i> 7. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. Computer Readable Copy b. Paper Copy (identical to computer copy) c. Statement verifying identity of above copies
ACCOMPANYING APPLICATION PARTS	
8. ☐ Assignment Papers (cover sheet & document(s)) 9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney <i>(when there is an assignee)</i> 10. ☐ English Translation Document <i>(if applicable)</i> 11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations 12. ☐ Preliminary Amendment 13. ☒ Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 14. ☒ Small Entity ☐ Statement filed in prior application, Status still proper and desired 15. ☐ Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. ☒ <u>Petition to Make Special</u>	
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: *	
18. CORRESPONDENCE ADDRESS	
Customer No. 23844 Scott C. Harris Registration No. 32,030 P.O. Box 927649 San Diego, CA 92192 Telephone: (619) 823-7778 Facsimile: (877) 690-9836	

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	21 - 20 =	1	x \$9.00	\$9.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$40.00	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0
			BASIC FEE	\$355.00
			TOTAL OF ABOVE CALCULATIONS =	\$364.00
Petition Fee for Petition to Make Special				\$130.00
Assignment Recording Fee (if enclosed)				\$0.00
			TOTAL =	\$494.00

☒ A check in the amount of \$494.00 is attached.

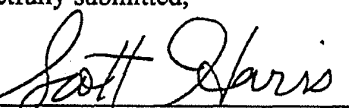
☐ Charge \$ _____ to Deposit Account No. _____ referencing docket no. _____.

Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to Deposit Account No. 50-1387 referencing docket no. _____. A duplicate copy of this transmittal is enclosed, for that purpose.

Dated:

Respectfully submitted,

By:


Scott C. Harris
Registration No. 32,030

Customer No. 23844
Scott C. Harris
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (877) 690-9836

APPLICATION
FOR
UNITED STATES LETTERS PATENT

TITLE: POSITION PRIVACY IN AN ELECTRONIC DEVICE
APPLICANT: SCOTT C. HARRIS

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EM327 460 750 US

This correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

October 16, 2000
Date of Deposit

Janet Christy
Signature

Janet Christy
Typed or Printed Name of Person Signing Certificate

POSITION PRIVACY IN AN ELECTRONIC DEVICE

Background

The present invention defines a system for enhancing a
5 privacy in enhancement in an electronic device with automatic
position location detection.

Modern electronic devices often include automatic position
location detection technology. For example, the modern cellular
phone may include a satellite positioning system such as a GPS
10 device. Other cellular phones, referred to as a WAP phones, also
automatically keep track of the users position.

Figure 1 shows an electronic device, which can be a wap
phone, regular cellular phone, or any other electronic device
100. The device is shown with electronic circuitry including
15 electronic processor 110 which processes signals from both GPS
device 115, and from a codec 120. The processor also controls an
RF device 125.

The electronic device automatically determines its position.

In this embodiment, it does so by communicating with a
20 constellation of global position detecting satellites 130, for
automatic determination of position. The electronic device may
also communicate with the server 140, such as to a base station.

The electronic device may communicate its determined position to the server. This may be done, for example, for emergency purposes. In the case of a WAP device, this may be done simply to monitor the position of the cellular phone. The server may
5 output the position, shown as 150.

Summary

10 The present application defines a device which enhances privacy in such a system. Specifically, the present application teaches a device which selectively prevents the electronic device from transmitting its position. This hence allows selection of an enhanced privacy mode.

Brief Description of the Drawings

15 These and other aspects of the invention will be described in detail with reference to the accompanying drawings, wherein:

Figure 1 shows are block diagram of an electronic device with a built-in automatic position location detection system;

20 Figure 2 shows a first embodiment of a privacy enhancing device for an electronic element;

Figures 3A and 3B show a passive version of the privacy enhancing device using an RF blocking technique; and

Figure 4 shows an active jammer device which actively produces a signal to prevent the reporting of position.

Detailed Description

5 The first embodiment is shown in Figure 2. In this embodiment, the electronic device is a portable telephone such as a cellular phone. However, it should be understood that other electronic devices, such as computers, personal digital assistants, or any other device which is capable of communicating
10 in any way, may use similar techniques to those disclosed herein.

0099001-101500
15 A portable phone 200 has a normal user interface 205, and other structure such as display, etc. The device also includes a positioning device 210. In this embodiment, a position detection block control 220 is provided. This is an actuation mechanism, such as a button which can be pressed to deactivate the function of the positioning device 210. The unit's normal position forms an enable signal 225 which enables the position detector 210, allowing the position detector to determine its position, and report that position to a remote source, such as a base station.

20 When the button is in its override position, an indicator 225 is illuminated, indicating the privacy mode has been entered. In this privacy-enhanced state, the enable signal is removed,

thereby preventing position detector 210 from reporting its position.

A concern, however, is that some users, either hackers or others with more aura of authority, may use this system in a way which determines position surreptitiously, e.g., even when the button is placed on override. For example, law-enforcement officials might use this system to keep track of someone without their knowledge. One way to do this might be to fake an emergency call or the like. Doing this, however, may have serious privacy implications.

If a manufacturer includes a "back door" into the system, that "back door" might be used to determine the position of a person, without their authority or knowledge.

A test module 250 can be used to test the degree of privacy associated with the electronic device. This test module is connectable to the server 260. It also runs a software layer 255 which can be updated via channel 270, e.g., over the Internet. The test module 250, in operation, communicates with a service over the internet. The service employs experts to research and store the latest and most up-to-date way of improperly obtaining position in such a system. This is available via update 270 from the Internet. This may be carried out as a subscription service,

in a similar way to the operations currently done to update virus definitions. The Internet returns ways of hacking the position detection prevention, which can hence be used by the test module to evaluate the privacy provided by the actuation 220.

5 The test module sends a request for position location to the phone 200, using the best available techniques. The phone returns information, and this information is evaluated by the server 260. Server 260 returns an evaluation of the operation to the test module 250. This can provide a user with an indication
10 of the level of privacy they have obtained.

Another embodiment is shown in Figures 3A and 3B. This embodiment may be most usable with a satellite positioning system in a telephone. In this kind of phone, both sets of electronics -- the GPS and the codec -- may use a common processor.

15 However, a GPS system often requires a separate antenna shown as 300. The separate antenna may be very sensitive to reception. For example, while cellular telephones can often be used indoors, corresponding GPS devices may not be usable in the same situations. Moreover, each separate telephone type will have a
20 GPS antenna 300 placed in a specified location. There are relatively few telephone types in common use, usually less than 50 types. This system finds, for each telephone type, where the

GPS antenna will be placed. The device 350 is made of an RF absorbing or reflecting material such as metal. The device is also made in way which allows it to be temporarily attached to the telephone, e.g., by clipping on to the phone. For example,
5 the device may fit on both sides of the telephone 310 and 320 and wrap around the telephone to cover areas adjacent the antenna on both of the surfaces. The cover 350 covers both sides of the antenna 300, and therefore prevents GPS operation while the cover is clamped into place. In this way, privacy can be effectively
10 temporarily enhanced. Figures 3A and 3B show two different places where the shield could be attached; but it should be understood that the shield could be attached in many different places.

One of the stated uses of GPS in a portable phone is for use
15 in an emergency. When the user dials 911, the GPS device allows the emergency authorities to determine the user's precise location. In order to allow this, the cover can be maintained in place during all operations other than emergencies. During emergencies, the cover can be removed. But once the cover is
20 removed, the position of the electronic device can be automatically detected, as usual.

The system of figures 3A and 3B may not work with certain

phones. An alternative system is shown in figure 4. In this
phone, an active jammer module 400 is provided. The jammer
module either supplants or fools the system into obtaining false
position information. For example, the jammer module may provide
5 false satellite information, e.g., indicating a false satellite
position.

Satellite positioning system information is often provided
in broad spectrum noise. The jammer 400 may produce broad
spectrum noise, which includes information indicative of three
10 satellites, but which is transmitted at a sufficiently low power
to be receivable only at a very short range. In the system of
figure 4, the jammer can also be attached using attachment clips
404. The attachment can place the transmitter of the jammer in
close proximity with the satellite positioning system antenna.

15 The jammer information can produce outputs that indicate a
false location, for example. Similar operations can be carried
out with WAP phones. In a WAP phone, for example, the system may
override the carrier, or tell the carrier false information about
where the phone is located. This may include providing false
20 triangulation information into the system or the like.

Other modifications are possible and are within the
disclosed invention.

g

What is claimed is:

1 ~~Sub~~ 1. An apparatus, comprising:
2 ~~AT~~ an electronic device having a position detection module
3 ~~B1~~ therein which determines a position of said electronic device and
4 reports information indicative of said position of said
5 electronic device to a remote object; and
6 an override control, which is actuated to prevent said
7 position detection module from reporting said information about
8 its position, but which allows other parts of said electronic
9 device to operate.

1 2. An apparatus as in claim 1, wherein said actuating said
2 override control prevents said position detection module from
3 determining its position

1 3. An apparatus as in claim 2, wherein said actuating said
2 override control allows said position detection module to
3 operate, but prevents said position detection module from
4 reporting said information.

9

1 ~~sub~~ 4. An apparatus as in claim 1 wherein said override
2 control is a passive blocking element which is clipped to a
3 portion of said electronic device to blocks reception of
4 information by said position detection module.

1 5. An apparatus as in claim 4, wherein said position
2 detection module is a satellite positioning system module, and
3 said passive blocking element is an element which blocks an
4 antenna associated with said satellite positioning module from
5 receiving said information.

1 ~~sub~~ 6. An apparatus as in claim 1 wherein said override
2 control is a jamming element and which produces information that
3 interferes with operation of said position detection module.

1 7. An apparatus as in claim 6, wherein said information is
2 false information that provides false data to said position
3 detection module.

1 8. An apparatus as in claim 1 wherein said override
2 control is a button which commands circuitry in said telephone to
3 stop certain operations.

1 9. An apparatus as in claim 1, further comprising a
2 privacy detection element, which tests whether said position
3 detection module will report unauthorized information when
4 requested.

1 ~~Sub A11~~ 10. An apparatus as in claim 9 wherein said privacy
2 detection element includes an update function which updates said
3 privacy detection element to allow it to use different techniques
4 to determine said report of unauthorized information.

1 11. An apparatus as in claim 6 wherein said jamming element
2 is connected to receive electrical power from said electronic
3 device.

1 12. An apparatus as in claim 1 wherein said electronic
2 device is a portable telephone.

1 ~~Sub A11~~ 13. A method of operating an electronic device, comprising:
2 allowing, in a first mode of operation, automatic reporting
3 of a position of said electronic device; and
4 allowing a second mode of operation which prevents said
5 automatic reporting of said position of said electronic device.

1 14. A method as in claim 13 wherein said automatic
2 detection comprises detection via satellite positioning.

1 15. A method as in claim 13 wherein said wherein said
2 electronic device is a portable phone, and said automatic
3 detection comprises detection via WAP techniques.

1 16. A method as in claim 13, wherein said second mode of
2 operation comprises an operation which is selected via an
3 actuation mechanism.

1 ~~Sub~~ 17. A method as in claim 13 wherein said second mode of
2 operation comprises attaching a passive reception blocking device
3 to said electronic device.

1 18. A method as in claim 13 wherein said second mode of
2 operation comprises actively jamming a position detection
3 operation.

1 ~~Sub~~ 19. A method as in claims 13, further comprising providing
2 a device which tests whether said automatic reporting is
3 operating.

1 20. A method as in claim 19, further comprising updating a
2 way that said device tests the automatic detection.

1 (21) A method, comprising:
2 operating a cellular phone in a first mode in which its
3 position can be automatically reported to a remote location; and
4 operating said cellular phone in a second, privacy enhanced
5 mode, in which cellular phone functions can be used, but its
6 position can not be automatically reported to said remote
7 location.

Add
AG
Add @ 3

Abstract

A privacy enhancement device for electronic device such as a cellular telephone. In one mode, the cellular telephone operates in its normal mode, whereby its position can be detected by either wap techniques or by GPS techniques. In a second mode of operation, the wap/GPS operation is overridden, so that the position cannot be detected.

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled POSITION PRIVACY IN AN ELECTRONIC DEVICE, the specification of which:

- ☒ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____ and was amended on _____.
- ☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed	
			☐ Yes	☐ No
			☐ Yes	☐ No

Page 2 of 2 Pages

Customer No. 23844
Scott C. Harris
P.O. Box 927649
San Diego, CA 92192-7649

Post Office Address: P.O. Box 927649, San Diego, CA 92192

Applicant or Patentee: Scott C. Harris
Serial or Patent No.:
Filed or Issued: Herewith
For: POSITION PRIVACY IN AN ELECTRONIC DEVICE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled described in

- ☒ the specification filed herewith.
☐ application serial no. , filed .
☐ patent no. , issued .

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization.
☐ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made 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 so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Scott C. Harris

Signature: Scott C Harris

Date: 10/16/00

09001-1131600

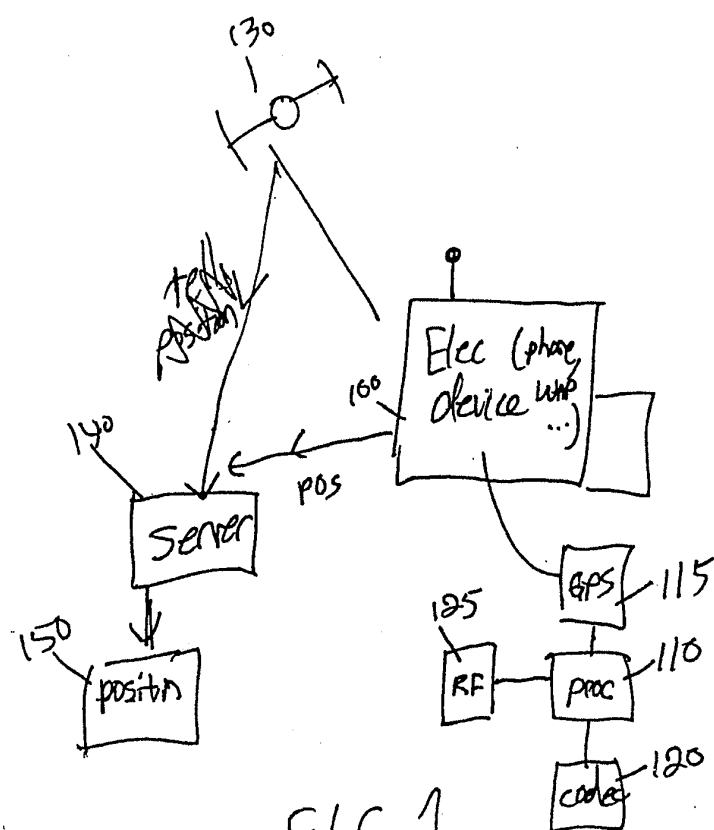


FIG 1

SECRET - NOFORN

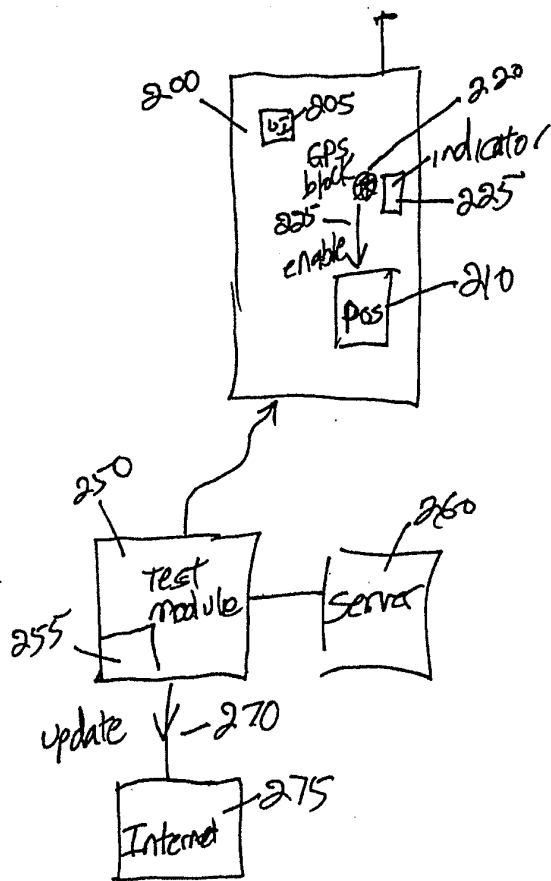
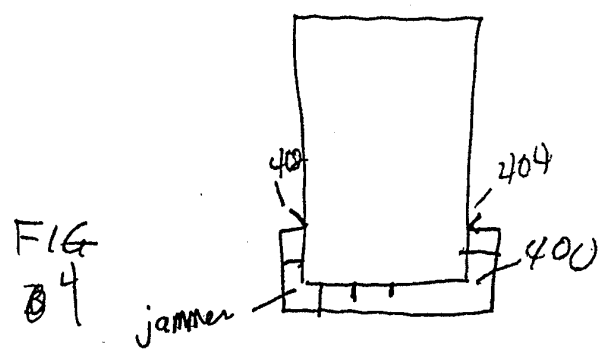
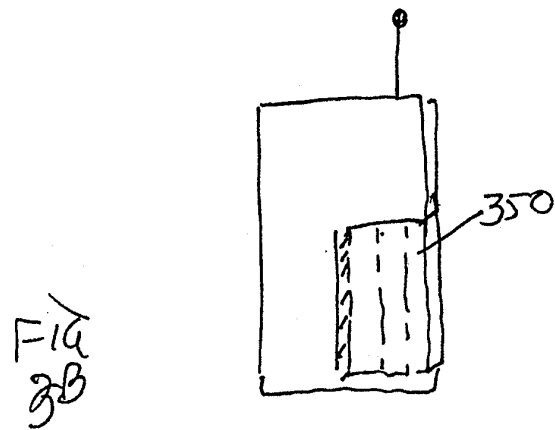
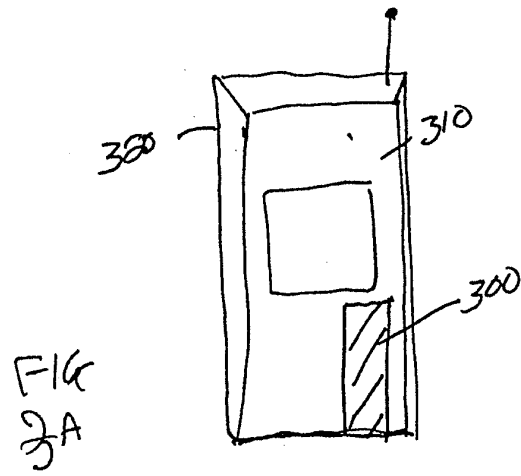


FIG 2





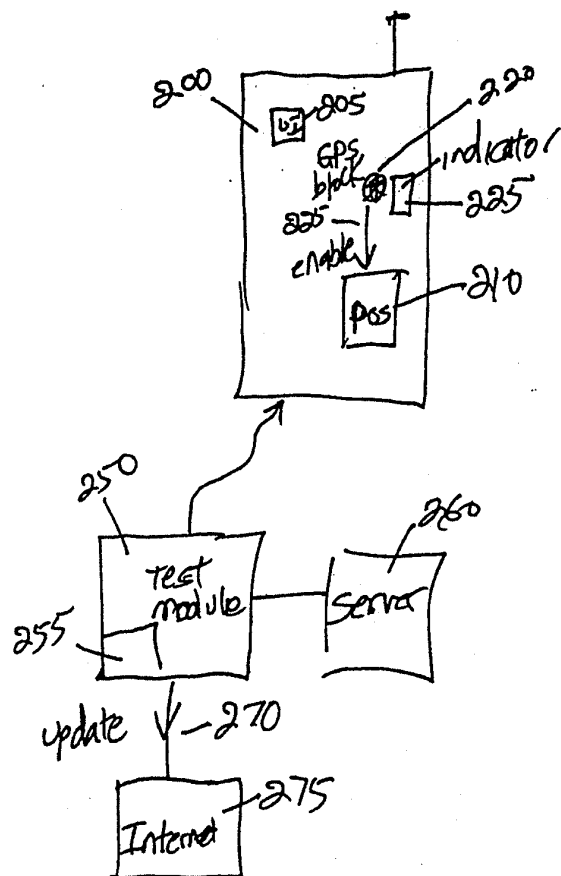
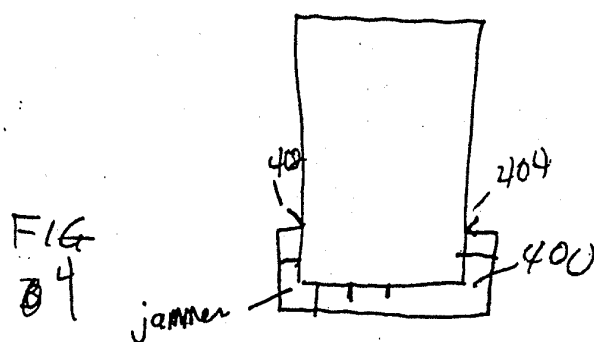
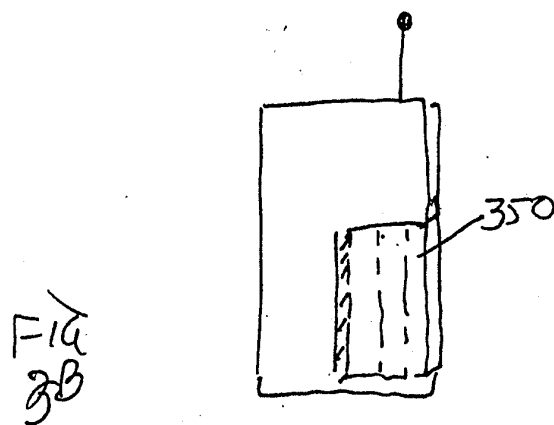
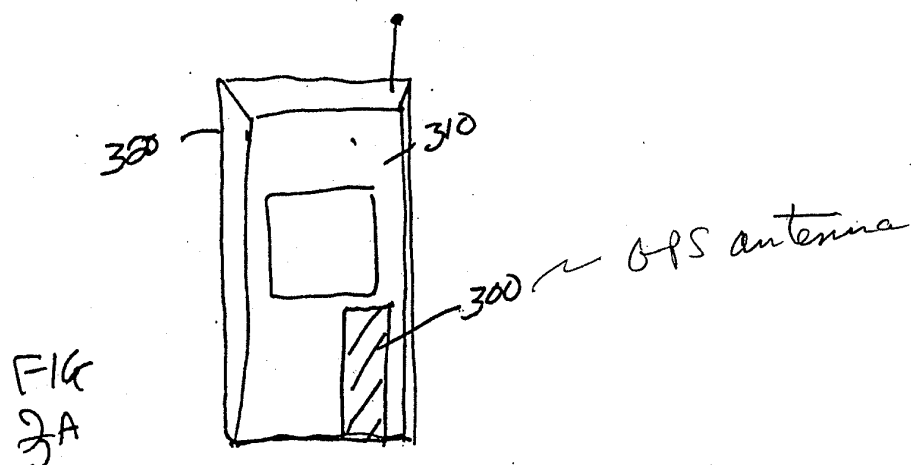


FIG 2



FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. GPS PRIVACY/SCH	APPLICATION NO. #2 09/690001 12-6-00 DRS
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (USE SEVERAL SHEETS IF NECESSARY)		APPLICANT Scott C. Harris	
		FILING DATE October 16, 2000	GROUP 3662

JP20 U.S. PTO
09/690001
10/16/00

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
AMB		5,222,245	6/22/1993	Ando et al.			
↓		5,731,785	3/24/1998	Lemelson et al.			
		5,940,753	8/17/1999	Mallinckrodt			

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	

EXAMINER T. BLUM	DATE CONSIDERED 1-10-01
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

#3
Petition
made
12/14/00
BCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris Art Unit : Unknown
Serial No.: Examiner : Unknown
Filed : Herewith
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

JCS20 U.S. PTO
09/690001
10/16/00

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO MAKE SPECIAL UNDER
MPEP 708.02(VIII)

Sir:

A) Applicant hereby petitions to make this case special under the "Special Examining Procedure" outlined in MPEP 708.02(VIII). The Rule 17(i) fee of \$130 is attached.

B) All claims are believed directed to a single invention. Applicant agrees to make an election without traverse should be the claims be found to be directed to multiple inventions.

C) A pre-examination search was made. The search covered the following classes and subclasses:

342/458

701/207

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. Em 327 460 78045

This correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

10-16-00
Date of Deposit

Janet Christy
Signature

Janet Christy
Printed Name of Person Signing Certificate

09/20/2000 ECKURAY1 000000085 09690001

09/20/00

130.00 QP

343/112

343/105

343/112

343/100

235/150

342/352

342/100

342/199

342/357

342/386

342/457

455/013

365/228

455/038

455/343

701/116

701/213

D) One copy of each reference that is "most closely related to" the subject matter encompassed by the claims is submitted herein, and listed on a form PTO-1449.

E) Detailed discussion.

The present application techniques of enhancing privacy in a position location system. One of these techniques prevents the position automatic location from being used in certain circumstances.

US Patent no 5,731,785 teaches a inhibiting feature in a system and method for locating objects. This inhibiting feature is used in a vehicle tracking device. The position signals from the portable device can be inhibited by entering a pin. However, this very different than the present system which inhibits the portable device from determining the position, rather than inhibiting the portable device from providing position signals.

US Patent no. 5,940,753 teaches a system of tracking mobile user units. Like the present system, this enables determining the position of the electronic unit. The system does not include an override feature as claimed, which prevents it from being used at certain times.

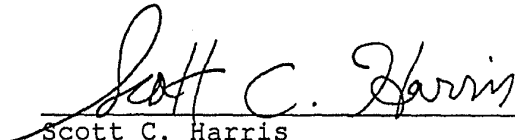
US Patent no. 5,222,245 teaches a GPS signal which turns on and turns off the receiver. The receiver is turned off responsive to completion of detection. Hence, it does not meet the limitations of the claims provided herewith.

A notice that the application has been made special is respectfully requested.

Please apply any charges or credits to our Deposit Account No. 50-1387.

Respectfully submitted,

Date: 10/16/00



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (877) 690-9836



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Bib Data Sheet

SERIAL NUMBER 09/690,001	FILING DATE 10/16/2000 RULE —	CLASS 342	GROUP ART UNIT 3662	ATTORNEY DOCKET NO. GPS PRIVACY/SCH
APPLICANTS Scott C. Harris, Rancho Santa Fe, CA ;				
** CONTINUING DATA *****				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 11/24/2000				
** SMALL ENTITY **				
Foreign Priority claimed ☐ yes ☒ no		STATE OR COUNTRY CA	SHEETS DRAWING 3	TOTAL CLAIMS 21
35 USC 119 (a-d) conditions met ☐ yes ☒ no ☐ Met after Allowance				INDEPENDENT CLAIMS 3
Verified and Acknowledged <i>Theodore M. Blum</i> Examiner's Signature Initials				
ADDRESS 23844				
TITLE Position privacy in an electronic device				
FILING FEE RECEIVED 364	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☒ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit	

file://C:\APPS\PreExam\correspondence\1_A.xml

11/27/00



UNITED STATES PATENT & TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL
PROPERTY AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE
Washington, D.C. 20231

Scott C. Harris
P.O. Box 927649
San Diego, CA 92192

MAILED

DEC 22 2000

Office of the Director
Group 3140

Paper No. 4

In re application of
Scott C. Harris
Application No. 09/690,001
Filed: October 16, 2000
For: POSITION PRIVACY IN AN
ELECTRONIC DEVICE

: **DECISION ON PETITION**
: **TO MAKE SPECIAL**
: **(ACCELERATED EXAMINATION)**

This is in response to the petition filed on October 16, 2000 to make the above-identified application special on the basis of special examining procedure for certain new applications - accelerated examination as set forth in MPEP § 708.02 VIII.

The requirements for granting special status under this section are: (A) a petition to make special accompanied by the fee set forth in 37 CFR 1.17(i); (B) all claims being directed to a single invention, or an election without traverse if the Office determines that all the claims are not directed to a single invention; (C) a statement that a pre-examination search was made listing the field of search; (D) one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and (E) a detailed discussion of how the claimed subject matter is patentable over the references.

Since all of the requirements for special status under MPEP § 708.02 VIII have been met, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications, (2) to promptly examine this application out of turn, and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference or appeal, if any, only if petitioner makes a prompt **bona fide** effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

SUMMARY: Petition to Make Special **GRANTED**.



Steven N. Meyers
Special Programs Examiner
Technology Center 3600
(703) 308-3868

SNM/DS: 12/19/00



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/690,001 10/16/00 HARRIS

S GPS PRIVACY/

023844

PM82/0117

EXAMINER

SCOTT C HARRIS

BLUM, T

P O BOX 927649

ART UNIT

PAPER NUMBER

SAN DIEGO CA 92192

3662

DATE MAILED:

01/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/690001	Applicant(s) HARRIS	
	Examiner T. BLUM	Group Art Unit 3662	

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

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) 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 response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ 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

☒ Claim(s) 1-21 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.*

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-3, 6-9, 11-16, 18, 19, 21 is/are rejected.

☒ Claim(s) 4, 5, 10, 17, 20 is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☒ Notice of References Cited, PTO-892

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Interview Summary, PTO-413

☐ Notice of Informal Patent Application, PTO-152

☐ Other _____

Office Action Summary

Art Unit: 3662

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 11, 14, and 15, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

✓ As to claim 11, there is no antecedent basis for "said electronic device".

✓ As to claim 14, there is no antecedent basis for "said automatic detection".

✗ As to claim 15, there is no antecedent basis for "said automatic detection".

✗ As to claim 15, "WAP techniques" are indefinite. What are "WAP techniques"?

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Art Unit: 3662

4. Claims 1-3, 8, 9, 12-16, 19, and 21, are rejected under 35 U.S.C. 102(e) as being anticipated by Krasner.

Krasner teaches the claimed method and structure for operating an electronic device including: position detection module (130), cellular telephone (109), override control (column 4, lines 38-43 and column 10, lines 23-26) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate. Krasner further teaches testing device (160) which tests whether said automatic reporting is operating.

5. Claims 1-3, 8, 9, 12-16, 19, and 21, are rejected under 35 U.S.C. 102(e) as being anticipated by Herring.

Herring teaches the claimed method and structure for operating an electronic device including: position detection module (20), cellular telephone (14), override control (column 5, lines 17-19) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said

Art Unit: 3662

electronic device to operate. Herring further teaches testing device (100 and 200) which tests whether said automatic reporting is operating.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 6-9, 11-16, 18, 19, and 21, are rejected under 35 U.S.C. 102(b) as being anticipated by Hirata.

Hirata teaches the claimed method and structure for operating an electronic device including: position detection module (2 and 8), radio telephone (4, 36, and 38), override control (6 and 28, column 4, lines 38+, and by jamming column 1, lines 41-49) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate. Hirata further teaches testing device (radio telephone receiver which receives the signal from 38) which tests whether said automatic reporting is operating.

Art Unit: 3662

8. Claims 4, 5, 10, 17, and 20, are objected to as depending from a rejected antecedent claim.

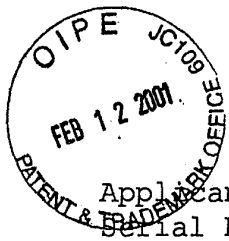
9. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.

Theodore M. Blum

THEODORE M. BLUM
PRIMARY EXAMINER

Notice of References Cited				Application No. 09/690001		Applicant(s) HARRIS	
				Examiner T. BLUM		Group Art Unit 3662	
U.S. PATENT DOCUMENTS							
*	DOCUMENT NO.	DATE	NAME			CLASS	SUBCLASS
A	6107960	8-22-00	KRASNER			342	357.09
B	6069570	5-30-00	HERRING			340	825.49
C	5301368	4-5-94	HIRATA			455	78
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
FOREIGN PATENT DOCUMENTS							
*	DOCUMENT NO.	DATE	COUNTRY	NAME		CLASS	SUBCLASS
N							
O							
P							
Q							
R							
S							
T							
NON-PATENT DOCUMENTS							
*	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)						DATE
U							
V							
W							
X							

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)



Attorney's Docket No.: GPS-PRIVACY/SCH

3662
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

690.001

Applicant: Scott C. Harris Art Unit: 3662
Serial No: 09/690,001 Examiner: T. Blum
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Assistant Commissioner for Patents
Washington, DC 20231

703600 MAIL ROOM

FEB 20 2001

RECEIVED

TRANSMITTAL LETTER AND PETITION FOR AUTOMATIC EXTENSION

Correspondence relating to this application is enclosed. The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-1387.

Total Claims	<u>21</u>	-	<u>23</u>	=	<u>2</u>	\$18
Independent	<u>7</u>	-	<u>3</u>	=	<u>4</u>	\$160

TOTAL FEE DUE: \$178

Respectfully submitted,

Date: 2-9-01

Scott C. Harris
Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (877) 690-9836

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

February 9, 2001
Date of Deposit

Janet Christy
Signature

Janet Christy
Typed or Printed Name of Person



ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris
Serial No.: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit : 3662
Examiner : T. Blum

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

103600 MAIL ROOM

FEB 20 2001

RECEIVED

H6/A
2/26/01
Blum

Sir:

In response to the Official Action dated January 17, 2001,
Paper No. 5, in the above-referenced case, kindly amend the
application as follows.

In the Claims:

✓ Please cancel claim 16.

Please amend the claims as follows:

① (Amended) An apparatus, comprising:

an electronic device having a position detection module
therein which determines a position of said electronic device

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail with sufficient postage on
the date indicated below and is addressed to the Assistant Commissioner
for Patents, Washington, D.C. 20231.

02/16/2001 MYUSUF1 00000055 09660001

01 FC:203
02 FC:202

18.00 OP
160.00 OP

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

2-9-01

Janet Christy

Janet Christy

and reports information indicative of said position of said electronic device to a remote object; and

an override control, which ~~[is actuated to]~~ includes an actuating mechanism and which, in response to actuating said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate.

④ (Amended) [An apparatus as in claim 1] An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control ~~[is]~~ includes a passive blocking element which is ~~[clipped]~~ attached to a portion of said electronic device to block~~[s]~~ reception of information by said position detection module.

6. (Amended) An apparatus as in claim 1 wherein said override control ~~[is]~~ includes a jamming element ~~[and]~~ which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. (Amended) An apparatus as in claim 6, wherein said information ~~[is]~~ includes false information that provides false data to said position detection module.

8. (Amended) An apparatus as in claim 1 wherein said ~~[override control]~~ actuating mechanism is a button which commands circuitry in said telephone to stop performing certain operations based on said actuating and until said deactuation.

10. (Amended) [An apparatus as in claim 9] An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about

its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

13. (Amended) A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device; and

responsive to an actuation of an actuating mechanism,
allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device.

14. (Amended) A method as in claim 13 further comprising ~~[wherein said]~~ automatic detection ~~[comprises detection]~~ of a position of said electronic device via satellite positioning.

15. (Amended) A method as in claim 13 ~~[wherein said]~~ wherein said electronic device is a portable phone, and said

15 automatic detection comprises detection using ~~[via]~~ WAP
[techniques] protocol.

16
17 (Amended) [A method as in claim 13] A method of
operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting
of a position of said electronic device;
allowing a second mode of operation which prevents said
automatic reporting of said position of said electronic device;
and
wherein said second mode of operation comprises attaching a
passive reception blocking device to said electronic device.

18
19 (Amended) A method as in claim[s] 13, further
comprising providing a device which tests whether said automatic
reporting is operating.

20 (Amended) ~~[A method as in claim 19]~~ A method of
operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting
of a position of said electronic device;
allowing a second mode of operation which prevents said
automatic reporting of said position of said electronic device;
testing whether said automatic reporting is operating; and

[further comprising] updating a way that said device tests

~~AA~~ ~~the automatic detection.~~

21. (Amended) A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and
responsive to an action by a user of a specific type,
operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place
and/or receive calls, but its position can not be automatically reported to said remote location.

Please add the following new claims:

~~Sub 32~~
~~AS~~
22. (New) A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. (New) A method as in claim 22, further comprising updating a way that said cellular phone carries out said testing.

18 24. (New) A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, the indication that claims 4, 5, 10, 17 and 20 would be allowable if rewritten into independent form is appreciatively noted. Claim 4 is rewritten into independent form herewith and should be allowable along with claim 5 which depends therefrom. Claim 10, 17 and 20 is similarly rewritten into independent form. Accordingly, each of these claims should be in condition for allowance as per the indication of same in the Official Action.

Claims 11, 14 and 15 stand rejected under 35 U.S.C 112, second paragraph as allegedly being indefinite. In response, these claims are amended herewith for definiteness. It is respectfully suggested that the amendments made herein obviate the rejection.

Claims 1-3, 8, 9, 12-16, 19 and 21 stand rejected under 35 USC 102(b) as allegedly being anticipated by Krasner. It is respectfully suggested that Krasner teaches a very different kind of system. The claims have been amended herewith to

emphasize these differences. As such, it is respectfully suggested that all of the rejections are obviated.

Initially, one object of the present invention is to enhance privacy in a GPS-equipped telephone. According to the present system, a privacy-enhanced mode is defined in which privacy is enhanced because the GPS is intentionally prevented from operating.

Claim 1 has been amended to specify an override control which includes an actuating mechanism. In response to actuating that actuating mechanism, a signal is produced that prevents the position detection module from reporting information about its position until deactuation of the override control. In this mode, however, other parts of the electronic device are allowed to operate. It is respectfully suggested that Krasner does not teach comparable structure in his cellular phone.

Krasner teaches turning off or "gating" the GPS receiver for a small fraction of the time, see column 4 lines 38-43. It is believed that this gating is for noise reduction during the time that the calculation of GPS psuedo ranges are being carried out. The gating is automatically produced during a certain period of time. As explained in column 4, beginning at line 40, the GPS receiver cannot perform normal functions during this deactivation time.

However, the gating periods are not set by a user as now claimed. The gating periods may become a large fraction of the time of operation (See column 4 lines 44-45). This is described as being undesirable. Nowhere does Krasner teach or suggest an actuating mechanism, as defined in claim 1, which is actuated to prevent the signal production. Rather, Krasner's system has a circuit that produces this gating signal for some other reason. There is nothing in Krasner that forms an actuator structure as now defined in claim 1. Therefore, claim 1 should be allowable over Krasner along with the claims which depend therefrom.

Specifically, claim 9 specifies a privacy detection element which tests whether the module reports unauthorized information. The rejection states that element 160 is the testing device. However, it is respectfully suggested that element 160 is the GPS base station; see column 9 lines 21-35. The GPS base station may receive the communication signals, but teaches nothing about "testing" as alleged by the official action. Perhaps the base station could test, if so programmed, but there is no suggestion of such programming. Therefore, there is nothing suggested by Krasner which meets the limitations of claim 9 requiring testing whether the position module will report unauthorized information when requested. Claim 9 should therefore be additionally allowable.

Claim 13 has also been amended to recite the limitations of claim 16 (which is now canceled), which includes an actuation mechanism. Claim 13 now specifies a second mode of operation which prevents automatic reporting "responsive to an actuation of an actuation mechanism". Therefore, claim 13 should be further allowable.

For similar reasons to those discussed above, claim 19 should also be allowable, since it specifies a device which tests the automatic reporting.

Claim 21 has been amended to specify a privacy enhanced mode in response to an action by a user of a specified type. In Krasner, the gating is not in response to an action by a user, and therefore claim 21 should be further allowable there over along with the new claims 22-24 which depend therefrom.

Claims 1-3, 8,9, 12-16, 19 and 21 also stand rejected under 35 USC 102(b) as allegedly being anticipated by Herring. This contention again has been obviated by the amendment of the claims herein. Herring teaches a system for locating certain elements called "assets". The assets may include GPS receivers thereon. As part of finding the assets, different operations are carried out. The rejection refers to column 5 lines 17-19, and the last few lines of claim 10. This refers to the fact that once the asset is found, the GPS receiver is deactivated. As in the above, however, this deactivation is automatic. In

fact, the reason for deactivation is to "reduce costs", apparently. No two cellular phones are powered up at any one time. The cellular telephones can be components, and only one is used at any given time. Therefore, while Herring may in fact turn off his cellular telephones, this does not meet the claim limitations which require turning off only the position detection module but allowing other parts of the electronic device to operate. Herring's teaching is that all but one cellular telephone is turned off so that only one cellular telephone monthly charge is incurred, see column 3 lines 47-48. In any case, nowhere does Herring teach that the GPS device is turned off while the rest of the circuitry is left on, responsive to an actuation, as now claimed.

Nor does Herring teach a testing device. While Herring does include a response center, nothing in Herring teaches or suggest that this response center should do anything about testing.

Claims 1-3, 6-9, 11-16, 18, 19 and 21 stand rejected under 35 USC 102(b) as allegedly being anticipated by Hirata. Again, this has been obviated by the amendment of the claims herein. The rejection states that Hirata teaches jamming to prevent the position detection module from reporting information. However, it is respectfully suggested that this is exactly the opposite of what Hirata actually teaches. Hirata teaches that jamming is

undesirable. Certain control signals for radio channels or other things may jam the receiving GPS signal; see column 1 lines 45-47. However, this jamming is described to be undesirable, see column 2, lines 10-11. The object of Hirata, in fact, is to avoid this jamming, not to cause it. Hirata intends to prevent the jamming. Therefore, Hirata does not teach preventing the position detecting module from reporting its position in response to an actuating mechanism as now claimed. In fact, Hirata intends to prevent the jamming entirely. Providing an actuating mechanism for jamming would be completely the opposite of what Hirata teaches. Hirata teaches against jamming. Therefore, claim 1 and the other independent claims should clearly be allowable, as they recite an actuating mechanism which prevents operation of the position detecting element.

Moreover, Hirata teaches nothing about testing. While the radio telephone receiver may receive the signal, there is no teaching or suggestion that this will be used for testing. In fact, the testing element as now claimed specifically tests whether the position detection module will report unauthorized information. While Hirata's testing device might be modified to make it usable for this purpose, Hirata never teaches actually using it for that purpose.

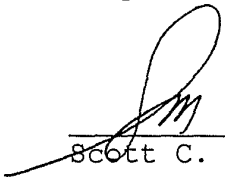
Claim 6 specifies that the override control is a jamming element. Again, Hirata does not teach a jamming element. Hirata teaches that certain signals may undesirably cause a jamming operation. Hirata teaches that these signals should be avoided. Nowhere does Hirata actually teach jamming, but rather teaches avoiding jamming. Moreover, Hirata does not teach producing these jamming signals in response to an actuation. Claims 6 and 7 should hence be allowable for similar reasons.

For all of these reasons, it is respectfully suggested that the rejection produced by the Patent Office does not meet the patent office's burden of providing a prima facie showing of unpatentability. Hence, for all of these reasons, all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully solicited.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

Date: 2-9-01



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (877) 690-9836

Fax: To Examiner T. Blum
GAU 3662

703 306 4195

Official
FAX RECEIVED
FEB 20 2001
GROUP 3600

(Per phone call -
original of this amendment
was filed with wrong
serial number)

Thanks.
Scott Harris
2/20/01

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris Art Unit : 3662
Serial No.: 09/690,001 Examiner : T. Blum
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Assistant Commissioner for Patents
Washington, D.C. 20231

FAX RECEIVED

FEB 20 2001

AMENDMENT

GROUP 3600

Official

Sir:

In response to the Official Action dated January 17, 2001,
Paper No. 5, in the above-referenced case, kindly amend the
application as follows.

In the Claims:

Please cancel claim 16.

Please amend the claims as follows:

1. (Amended) An apparatus, comprising:
an electronic device having a position detection module
therein which determines a position of said electronic device

I hereby certify that this
document is being facsimile
transmitted on 2/20/01.

Scott C. Harris
Scott Harris

and reports information indicative of said position of said electronic device to a remote object; and

an override control, which [is actuated to] includes an actuating mechanism and which, in response to actuating said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate.

4. (Amended) [An apparatus as in claim 1] An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control [is] includes a passive blocking element which is [clipped] attached to a portion of said electronic device to block[s] reception of information by said position detection module.

6. (Amended) An apparatus as in claim 1 wherein said override control [is] includes a jamming element [and] which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. (Amended) An apparatus as in claim 6, wherein said information [is] includes false information that provides false data to said position detection module.

8. (Amended) An apparatus as in claim 1 wherein said [override control] actuating mechanism is a button which commands circuitry in said telephone to stop performing certain operations based on said actuating and until said deactuation.

10. (Amended) [An apparatus as in claim 9] An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about

its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

13. (Amended) A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device; and

responsive to an actuation of an actuating mechanism,
allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device.

14. (Amended) A method as in claim 13 further comprising
[wherein said] automatic detection [comprises detection] of a position of said electronic device via satellite positioning.

15. (Amended) A method as in claim 13 [wherein said]
wherein said electronic device is a portable phone, and said

automatic detection comprises detection using [via] WAP
[techniques] protocol.

17. (Amended) [A method as in claim 13] A method of
operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting
of a position of said electronic device;
allowing a second mode of operation which prevents said
automatic reporting of said position of said electronic device;
and

wherein said second mode of operation comprises attaching a
passive reception blocking device to said electronic device.

19. (Amended) A method as in claim[s] 13, further
comprising providing a device which tests whether said automatic
reporting is operating.

20. (Amended) [A method as in claim 19] A method of
operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting
of a position of said electronic device;
allowing a second mode of operation which prevents said
automatic reporting of said position of said electronic device;
testing whether said automatic reporting is operating; and

[further comprising] updating a way that said device tests the automatic detection.

21. (Amended) A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and
responsive to an action by a user of a specific type,
operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

Please add the following new claims:

22. (New) A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. (New) A method as in claim 22, further comprising updating a way that said cellular phone carries out said testing.

24. (New) A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, the indication that claims 4, 5, 10, 17 and 20 would be allowable if rewritten into independent form is appreciatively noted. Claim 4 is rewritten into independent form herewith and should be allowable along with claim 5 which depends therefrom. Claim 10, 17 and 20 is similarly rewritten into independent form. Accordingly, each of these claims should be in condition for allowance as per the indication of same in the Official Action.

Claims 11, 14 and 15 stand rejected under 35 U.S.C 112, second paragraph as allegedly being indefinite. In response, these claims are amended herewith for definiteness. It is respectfully suggested that the amendments made herein obviate the rejection.

Claims 1-3, 8, 9, 12-16, 19 and 21 stand rejected under 35 USC 102(b) as allegedly being anticipated by Krasner. It is respectfully suggested that Krasner teaches a very different kind of system. The claims have been amended herewith to

emphasize these differences. As such, it is respectfully suggested that all of the rejections are obviated.

Initially, one object of the present invention is to enhance privacy in a GPS-equipped telephone. According to the present system, a privacy-enhanced mode is defined in which privacy is enhanced because the GPS is intentionally prevented from operating.

Claim 1 has been amended to specify an override control which includes an actuating mechanism. In response to actuating that actuating mechanism, a signal is produced that prevents the position detection module from reporting information about its position until deactuation of the override control. In this mode, however, other parts of the electronic device are allowed to operate. It is respectfully suggested that Krasner does not teach comparable structure in his cellular phone.

Krasner teaches turning off or "gating" the GPS receiver for a small fraction of the time, see column 4 lines 38-43. It is believed that this gating is for noise reduction during the time that the calculation of GPS psuedo ranges are being carried out. The gating is automatically produced during a certain period of time. As explained in column 4, beginning at line 40, the GPS receiver cannot perform normal functions during this deactivation time.

However, the gating periods are not set by a user as now claimed. The gating periods may become a large fraction of the time of operation (See column 4 lines 44-45). This is described as being undesirable. Nowhere does Krasner teach or suggest an actuating mechanism, as defined in claim 1, which is actuated to prevent the signal production. Rather, Krasner's system has a circuit that produces this gating signal for some other reason. There is nothing in Krasner that forms an actuator structure as now defined in claim 1. Therefore, claim 1 should be allowable over Krasner along with the claims which depend therefrom.

Specifically, claim 9 specifies a privacy detection element which tests whether the module reports unauthorized information. The rejection states that element 160 is the testing device. However, it is respectfully suggested that element 160 is the GPS base station; see column 9 lines 21-35. The GPS base station may receive the communication signals, but teaches nothing about "testing" as alleged by the official action. Perhaps the base station could test, if so programmed, but there is no suggestion of such programming. Therefore, there is nothing suggested by Krasner which meets the limitations of claim 9 requiring testing whether the position module will report unauthorized information when requested. Claim 9 should therefore be additionally allowable.

Claim 13 has also been amended to recite the limitations of claim 16 (which is now canceled), which includes an actuation mechanism. Claim 13 now specifies a second mode of operation which prevents automatic reporting "responsive to an actuation of an actuation mechanism". Therefore, claim 13 should be further allowable.

For similar reasons to those discussed above, claim 19 should also be allowable, since it specifies a device which tests the automatic reporting.

Claim 21 has been amended to specify a privacy enhanced mode in response to an action by a user of a specified type. In Krasner, the gating is not in response to an action by a user, and therefore claim 21 should be further allowable there over along with the new claims 22-24 which depend therefrom.

Claims 1-3, 8,9, 12-16, 19 and 21 also stand rejected under 35 USC 102(b) as allegedly being anticipated by Herring. This contention again has been obviated by the amendment of the claims herein. Herring teaches a system for locating certain elements called "assets". The assets may include GPS receivers thereon. As part of finding the assets, different operations are carried out. The rejection refers to column 5 lines 17-19, and the last few lines of claim 10. This refers to the fact that once the asset is found, the GPS receiver is deactivated. As in the above, however, this deactivation is automatic. In

fact, the reason for deactivation is to "reduce costs", apparently. No two cellular phones are powered up at any one time. The cellular telephones can be components, and only one is used at any given time. Therefore, while Herring may in fact turn off his cellular telephones, this does not meet the claim limitations which require turning off only the position detection module but allowing other parts of the electronic device to operate. Herring's teaching is that all but one cellular telephone is turned off so that only one cellular telephone monthly charge is incurred, see column 3 lines 47-48. In any case, nowhere does Herring teach that the GPS device is turned off while the rest of the circuitry is left on, responsive to an actuation, as now claimed.

Nor does Herring teach a testing device. While Herring does include a response center, nothing in Herring teaches or suggest that this response center should do anything about testing.

Claims 1-3, 6-9, 11-16, 18, 19 and 21 stand rejected under 35 USC 102(b) as allegedly being anticipated by Hirata. Again, this has been obviated by the amendment of the claims herein. The rejection states that Hirata teaches jamming to prevent the position detection module from reporting information. However, it is respectfully suggested that this is exactly the opposite of what Hirata actually teaches. Hirata teaches that jamming is

undesirable. Certain control signals for radio channels or other things may jam the receiving GPS signal; see column 1 lines 45-47. However, this jamming is described to be undesirable, see column 2, lines 10-11. The object of Hirata, in fact, is to avoid this jamming, not to cause it. Hirata intends to prevent the jamming. Therefore, Hirata does not teach preventing the position detecting module from reporting its position in response to an actuating mechanism as now claimed. In fact, Hirata intends to prevent the jamming entirely. Providing an actuating mechanism for jamming would be completely the opposite of what Hirata teaches. Hirata teaches against jamming. Therefore, claim 1 and the other independent claims should clearly be allowable, as they recite an actuating mechanism which prevents operation of the position detecting element.

Moreover, Hirata teaches nothing about testing. While the radio telephone receiver may receive the signal, there is no teaching or suggestion that this will be used for testing. In fact, the testing element as now claimed specifically tests whether the position detection module will report unauthorized information. While Hirata's testing device might be modified to make it usable for this purpose, Hirata never teaches actually using it for that purpose.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

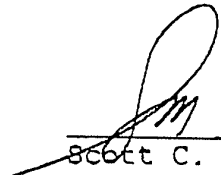
Claim 6 specifies that the override control is a jamming element. Again, Hirata does not teach a jamming element. Hirata teaches that certain signals may undesirably cause a jamming operation. Hirata teaches that these signals should be avoided. Nowhere does Hirata actually teach jamming, but rather teaches avoiding jamming. Moreover, Hirata does not teach producing these jamming signals in response to an actuation. Claims 6 and 7 should hence be allowable for similar reasons.

For all of these reasons, it is respectfully suggested that the rejection produced by the Patent Office does not meet the patent office's burden of providing a prima facie showing of unpatentability. Hence, for all of these reasons, all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully solicited.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

Date: 2-9-01



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (877) 690-9836

Handwritten mark



**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Handwritten initials CB

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/690,001 10/16/00 HARRIS

S GPS PRIVACY/

023844
SCOTT C HARRIS
P O BOX 927649
SAN DIEGO CA 92192

PM82/0411

EXAMINER

BLUM, T

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED:

04/11/01

Handwritten number 7

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/690001	Applicant(s) HARRIS
	Examiner T. BLUM	Group Art Unit 3662

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

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE **-3-** MONTH(S) 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 response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☒ Responsive to communication(s) filed on **2-12-01**

☐ This action is **FINAL**.

☐ 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

☒ Claim(s) **1-15, 17-24** is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) **4, 5, 10, 17, 21-24** is/are allowed.

☒ Claim(s) **1-3, 6, 7, 9, 11-15, 18-20** is/are rejected.

☒ Claim(s) **8** is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of References Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other _____

Office Action Summary

Art Unit: 3662

1. In view of the amendment filed February 12, 20001, and upon further consideration:

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 15 and 20, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 15, there is no antecedent basis for "said automatic detection".

As to claim 15, "WAP protocol" is indefinite. What is "WAP protocol"?

As to claim 20, there is no antecedent basis for "the automatic detection".

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international

Art Unit: 3662

application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-3, 9, 12-15, and 19, are rejected under 35 U.S.C. 102(e) as being anticipated by Krasner.

Krasner teaches the claimed method and structure for operating an electronic device including: position detection module (130), cellular telephone (109), override control (column 4, lines 38-43 and column 10, lines 23-26) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate. Krasner further teaches testing device (160) which tests whether said automatic reporting is operating.

Krasner further teaches actuating mechanism (104) which produces a signal (110) which prevents the position detection module from reporting information about its position. The signal received from the system of Krasner will inherently provide the claimed testing of the system.

6. Claims 1-3, 9, 12-15, and 19, are rejected under 35 U.S.C. 102(e) as being anticipated by Herring.

Art Unit: 3662

Herring teaches the claimed method and structure for operating an electronic device including: position detection module (20), cellular telephone (14), override control (column 5, lines 17-19) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate. Herring further teaches testing device (100 and 200) which tests whether said automatic reporting is operating.

Herring further teaches actuating mechanism (16) which produces a signal which prevents the position detection module from reporting information about its position. The signal received from the system of Herring will inherently provide the claimed testing of the system.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3662

8. Claims 1-3, 6, 7, 9, 11-15, 18, and 19, are rejected under 35 U.S.C. 102(b) as being anticipated by Hirata.

Hirata teaches the claimed method and structure for operating an electronic device including: position detection module (2 and 8), radio telephone (4, 36, and 38), override control (6 and 28, column 4, lines 38+, and by jamming column 1, lines 41-49) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate. Hirata further teaches testing device (radio telephone receiver which receives the signal from 38) which inherently tests whether said automatic reporting is operating.

Hirata further teaches actuating mechanism (6) which produces a signal (109) which prevents the position detection module from reporting information about its position.

9. The following is a quotation of 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 of this title, 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

Art Unit: 3662

matter pertains. Patentability shall not be negated by the manner in which the invention was made.

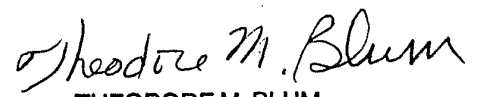
10. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krasner or Herring or Hirata.

In addition to the above, to provide a more reliable system, to update the apparatus for testing is obvious.

11. Claim 8 is objected to as depending from a rejected antecedent claim.

12. Claims 4, 5, 10, 17, and 21-24, are allowed.

13. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.


THEODORE M. BLUM
PRIMARY EXAMINER



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/690001	10-16-00	HARRIS	GPS PRIVACY/SCH

EXAMINER
T. BLUM

ART UNIT	PAPER NUMBER
3662	#8

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) MR. HARRIS (3)

(2) MR. BLUM (4)

Date of Interview 6-4-01

Type: ☐ Telephonic ☒ Personal (copy is given to ☒ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 1, 6, 13, 20

Identification of prior art discussed: all

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The last Office Action was discussed.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

FORM PTOL-413 (REV.1-96)

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER

09/690001



Attorney's Docket No.: ~~Coslin Database~~ ^{GPS-Privacy} 3662 #

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott C. Harris Art Unit: 3662
Serial No: 09/690,001 Examiner: T. Blum
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

RECEIVED

Assistant Commissioner for Patents
Washington, DC 20231

JUL 16 2001

3600 MAIL ROOM

TRANSMITTAL LETTER AND PETITION FOR AUTOMATIC EXTENSION

Correspondence relating to this application is enclosed. The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-1387.

Total Claims	<u>19</u>	-	<u>23</u>	=	<u>0</u>	\$ <u>0</u>
Independent	<u>8</u>	-	<u>7</u>	=	<u>0</u>	\$ <u>40</u>

TOTAL FEE DUE: \$40

Respectfully submitted,

Date: 7/5/01

Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

7-5-01
Date of Deposit

Janet Christy
Signature

Janet Christy
Typed or Printed Name of Person



Attorney Docket No. GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris
Serial No.: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit : 3662
Examiner : T. Blum

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUL 16 2001

03600 MAIL ROOM

AMENDMENT

Sir:

In response to the Official Action dated April 11, 2001,
Paper No. 7, in the above-referenced case, kindly amend the
application as follows.

In the Claims:

✓ Please cancel claims 9, 19 and 20.

Please amend the claims as follows:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail with sufficient postage on
the date indicated below and is addressed to the Assistant Commissioner
for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

07/12/2001 TGEDAWU1 00000042 09690001

01 FC:202

40.00 DP



Attorney Docket No.: GPS-PRIVACY/SCH

Sub C1
1. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

Cont
an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate.

2. An apparatus as in claim 1, wherein said actuating said override control prevents said position detection module from determining its position.

3. An apparatus as in claim 2, wherein said actuating said override control allows said position detection module to operate, but prevents said position detection module from reporting said information.

4. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

5. An apparatus as in claim 4, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

6. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. (Amended) An apparatus as in claim 6, wherein said information includes false information that provides false data to said position detection module.

8. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said actuating mechanism is a button which commands circuitry in said telephone to stop performing certain operations based on said actuating and until said deactuation.

(9. Cancelled.)

Sub C2
P1
cont
10. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

B1
Cont.

11. An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

12. An apparatus as in claim 1 wherein said electronic device is a portable telephone.

13. (Amended) A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device; and

responsive to a manual actuation of an actuating mechanism, allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device.

14. A method as in claim 13 further comprising automatic detection of a position of said electronic device via satellite positioning.

(15. cancel)

(16. Cancel)

17. A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and

wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

18. A method as in claim 13 wherein said second mode of operation comprises actively jamming a position detection operation.

(19. Cancelled.)

(20. Cancelled.)

21. A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

22. A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. A method as in claim 22, further comprising updating a way that said cellular phone carries out said testing.

24. A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Initially, Examiner Blum is thanked for the interview which was conducted on June 4, 2001. During this interview, many of the rejected claims were discussed. The substance of this interview is summarized throughout these remarks.

Initially, the indication that claims 4, 5, 10, 17 and 21-24 are allowed is appreciatively noted. The indication that claim 8 would be allowable if rewritten into independent form is also appreciatively noted. Claim 8 is so rewritten herein. This leaves only claims 1-3, 6, 7, 9, 11-15 and 18-20 as rejected over the prior art. These claims fall roughly into a number of categories.

Initially, claims 9, 19 and 20 define testing to see if the automatic reporting is operating. The examiner stated his position during the interview that any receiver is inherently a tester, and that a particular type of tester must be recited that does not read on normal receivers. In response to this comment, these claims are canceled, and applicant will consider rewriting these claims in a continuing application.

A number of additional claims, such as claim 1, are amended herewith to recite that the actuating mechanism is a manual actuating mechanism. During the interview, it was discussed how none of the prior art taught or suggested a manual actuating mechanism. All of the prior art teaches automatic actuation (or deactuation) in response to certain circumstances. Claim 1 is amended to recite a manual actuation mechanism. Claim 13 is similarly amended. This obviates the rejections to these claims and should render claim 1 allowable along with claims 2-3 which depend therefrom, and should render claim 13 allowable along with claims 14 and 16 which depend therefrom.

The final remaining claims are those reciting jamming elements. This was also discussed during the interview, where it was pointed out to the examiner that the rejection in fact teaches away from jamming, and in fact does not include a jamming element, as claimed.

Claim 6 was only rejected based on the '368 Patent to Hirata.

'368 does not teach jamming and does not teach a jamming element. Rather, Hirata teaches away from jamming. In fact, '368 teaches that when the vehicle is in an area where the receiving level is lowered, the signals undesirably jam the receiving GPS signal. The jammer signal is taught throughout the specification to be undesirable. Accordingly, in column 2, '368 describes avoiding adverse effects from the jammer signal. Note again, however, that the jammer signal is an undesirable signal, and not a desirable operation. Accordingly, since the jamming signals are inherent signals that are undesirable, clearly there is no teaching or disclosure of a jamming element that operates "responsive to said actuating". In fact, the jamming signal is undesirable, and therefore does not operate "responsive to the actuating", as claimed. Therefore, claim 6 should be allowable along with claims 7 and 11 which depend therefrom.

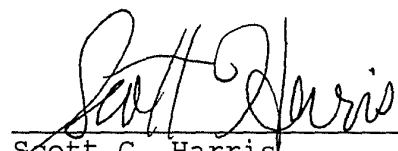
The remaining claims have either been canceled or amended into allowable form. Accordingly, this should render all remaining claims in condition for allowance.

Should any minor issues remain outstanding after this amendment, the examiner is respectfully encouraged to call the undersigned, so that these issues may be most expeditiously resolved. Hence, applicants respectfully suggest that this amendment should place all claims in condition for allowance. A formal notice to that effect is respectfully solicited.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

Date: 7/5/01



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082



This redlined draft, generated by CompareRite (TM) - The Instant Redliner, shows the differences between -
original document : C:\WINDOWS\PROFILES\SCH\DESKTOP\GPSP2.DOC
and revised document: C:\WINDOWS\PROFILES\SCH\DESKTOP\GPS-
PRIVACYUPDATED CLAIMS.DOC

CompareRite found 32 change(s) in the text

Deletions appear as Overstrike text surrounded by {}
Additions appear as Bold text surrounded by []



1. ~~((Amended))~~ An apparatus, comprising:
- an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and
- an override control, which includes ~~(a manual)~~ **[an]** actuating mechanism and which, in response to ~~(manual actuation of)~~ **[actuating]** said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position **[until a deactuation of said actuating mechanism]**, but which allows other parts of said electronic device to operate.

2. An apparatus as in claim 1, wherein said actuating said override control prevents said position detection module from determining its position.

3. An apparatus as in claim 2, wherein said actuating said override control allows said position detection module to operate, but prevents said position detection module from reporting said information

4. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

5. An apparatus as in claim 4, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

6. ~~+(Amended) An apparatus, comprising:~~
~~an electronic device having a position detection module therein~~
~~which determines a position of said electronic device and~~
~~reports information indicative of said position of said~~
~~electronic device to a remote object;~~

~~an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and~~

~~†~~[An apparatus as in claim 1] wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7.~~†(Amended)†~~ An apparatus as in claim 6, wherein said information includes false information that provides false data to said position detection module.

8. ~~†(Amended) An apparatus, comprising:~~
~~an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;~~
~~an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal that prevents said position detection module~~

~~from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and~~

~~+~~[An apparatus as in claim 1] wherein said actuating mechanism is a button which commands circuitry in said telephone to stop performing certain operations based on said actuating and until said deactuation.

9. ~~{Cancelled}~~ [An apparatus as in claim 1, further comprising a privacy detection element, which tests whether said position detection module will report unauthorized information when requested].

10. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized

information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

11. An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

12. An apparatus as in claim 1 wherein said electronic device is a portable telephone.

[

113.~~+(Amended)+~~ A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device; and

responsive to ~~+(a manual)+~~ [an] actuation of an actuating mechanism, allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device.

14. A method as in claim 13 further comprising automatic detection of a position of said electronic device via satellite positioning.

15. ~~+(cancel)+~~ [A method as in claim 13 wherein said electronic device is a portable phone, and said automatic detection comprises detection using WAP protocol.]

~~+(16.)~~ [16.] ~~+(Cancel)+~~ [Cancelled.]

17. A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and

wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

18. A method as in claim 13 wherein said second mode of operation comprises actively jamming a position detection operation.

19. ~~{Cancelled.}~~ [A method as in claim 13, further comprising providing a device which tests whether said automatic reporting is operating.]

~~{20.}~~ [20.] ~~{Cancelled.}~~ [A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device;

testing whether said automatic reporting is operating; and

updating a way that said device tests the automatic detection.]

21. A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

22. A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. A method as in claim 22, further comprising updating a way that said cellular phone carries out said testing.

24. A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

W

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/690,001	10/16/00	HARRIS	S GPS PRIVACY/

023844 PM82/0725
SCOTT C HARRIS
P O BOX 927649
SAN DIEGO CA 92192

EXAMINER

BLUM, T

ART UNIT PAPER NUMBER

3662 10

DATE MAILED: 07/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/690001	Applicant(s) HARRIS
	Examiner T. BLUM	Group Art Unit 3662

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) 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 the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, 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).

Status

☒ Responsive to communication(s) filed on 7-10-01

☐ This action is **FINAL**.

☐ 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

☒ Claim(s) 1-8, 10-14, 17, 18, 21-24 is/are pending in the application.

☐ Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 4-7, 10, 11, 17 is/are allowed.

☒ Claim(s) 1-3, 8, 12-14, 21, 22, 24 is/are rejected.

☒ Claim(s) 18, 23 is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____	☐ Interview Summary, PTO-413
☒ Notice of Reference(s) Cited, PTO-892	☐ Notice of Informal Patent Application, PTO-152
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	☐ Other _____

Art Unit: 3662

1. In view of the amendment filed July 10, 2001, and upon further consideration:

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

✓ As to claim 8, there is no antecedent basis for "said telephone".

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-3, 8, 12-14, 21, 22, and 24, are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart, newly cited.

Art Unit: 3662

Stewart teaches the claimed method and structure for operating an electronic device including: GPS position detection module (40), cellular telephone (Figure 2), manual override control switch (42, column 8, line 62 to column 9, line 15) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate.

6. Claims 21, 22, and 24, are rejected under 35 U.S.C. 102(e) as being anticipated by Yee et al, newly cited.

Yee et al teaches the claimed method and structure for operating an electronic device including: position detection module (14), cellular telephone (column 5, lines 51-61), override control (column 2, lines 51 to column 3, line 4, and column 11, line 67 to column 12, line 12) which prevents said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate.

Art Unit: 3662

7. The following is a quotation of 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 of this title, 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 negated by the manner in which the invention was made.

8. Claims 1-3, 8, and 12-14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Seiple et al in view of Ohyama et al, both newly cited.

Seiple et al teaches the claimed method and structure for operating an electronic device including: position detection module (Figure 2A), transceiver (21), override control (switch 30, Figure 3.5, column 4, lines 60-65, column 5, lines 22-24, column 7, lines 37-46, and column 10, lines 31-38) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate.

Ohyama et al teaches a manual switch (103 in Figure 17, and column 13, lines 28-32) to place the electronic apparatus in a sleep mode.

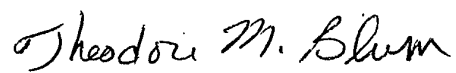
Art Unit: 3662

At any time, to save power used by the electronic device, obviously the GPS receiver of Seiple et al can be placed in the sleep mode (column 7, lines 37-44) by a manual switch as taught by sleep mode switch 103 of Ohyama et al (column 13, lines 28-32).

9. Claims 18 and 23 are objected to as depending from a rejected antecedent claim.

10. Claims 4-7, 10, 11, and 17, are allowed.

11. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.


THEODORE M. BLUM
PRIMARY EXAMINER

Notice of References Cited			Application No.		Applicant(s)	
			09/690001		HARRIS	
			Examiner		Group Art Unit	
			T. BLUM		3662	
					Page ____ of ____	
U.S. PATENT DOCUMENTS						
*		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
	A	6049718	4-11-00	STEWART	455	456
	B	6085090	7-4-00	YEE ET AL	455	440
	C	6222484	4-24-01	SEIPLE ET AL	342	357.09
	D	5751373	5-12-98	OHYAMA ET AL	348	569
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					
FOREIGN PATENT DOCUMENTS						
*		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS
	N					
	O					
	P					
	Q					
	R					
	S					
	T					
NON-PATENT DOCUMENTS						
*		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)				DATE
	U					
	V					
	W					
	X					

* A copy of this reference is not being furnished with this Office action.
(See Manual of Patent Examining Procedure, Section 707.05(a).)



Attorney's Docket No.: GPS-Privacy/SCH

36624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott C. Harris Art Unit: 3662
Serial No: 09/690,001 Examiner: T. Blum
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Assistant Commissioner for Patents
Washington, DC 20231

TRANSMITTAL LETTER AND PETITION FOR AUTOMATIC EXTENSION

Correspondence relating to this application is enclosed. The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-1387.

Total Claims	<u>57</u>	-	<u>24</u>	=	<u>33</u>	\$297
Independent	<u>13</u>	-	<u>8</u>	=	<u>5</u>	\$210
TOTAL FEE DUE:						\$507

Respectfully submitted,

Date: 10/9/01

Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

RECEIVED
OCT 24 2001
GROUP 3600

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

10-9-01
Date of Deposit

Janet Christy
Signature

Janet Christy
Typed or Printed Name of Person



ATTORNEY'S ECKET NO.: GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris Art Unit : 3662
Serial No.: 09/690,001 Examiner : T. Blum
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

11/C
10/24/01
H/MS

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sir:

In response to the Official Action dated July 25, 2001,
Paper No. 10, in the above-referenced case, kindly amend the
application as follows.

In the Claims:

RECEIVED
OCT 24 2001
GROUP 3600

Please amend the claims as follows:

1. (Amended) An apparatus, comprising:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail with sufficient postage on
the date indicated below and is addressed to the Assistant Commissioner
for Patents, Washington, D.C. 20231.

10/22/2001 MWOLDER1 00000103 09690001

01 FC:202 210.00 OP
02 FC:203 297.00 OP

10-9-01
Date of Deposit

Signature *Janet Christy*

Janet Christy
Typed or Printed Name of Person

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate.

2. An apparatus as in claim 1, wherein said actuating said override control prevents said position detection module from determining its position.

3. (Amended) An apparatus as in claim 1, wherein said actuating said override control allows said position detection module to determine its position; but prevents said position detection module from reporting said information.

4.

An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

① wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

5. An apparatus as in claim 4, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

⑥ (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. An apparatus as in claim 6, wherein said information includes false information that provides false data to said position detection module.

8. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

① an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said actuating mechanism includes a button which commands circuitry in said electronic device to stop performing certain operations based on said actuating and until said deactuation.

⑩ An apparatus, comprising:

72
Sub 2
an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

11. An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

12. (Amended) An apparatus as in claim 1 wherein said electronic device is a portable telephone, and said override control allows said telephone to operate for communication but not to report said position.

13. (Amended) A method of operating an electronic device, comprising:

enabling a first mode of operation in which automatic reporting of a position of said electronic device is allowed; and

responsive to a manual actuation of an actuating mechanism, disabling said automatic reporting of said position of said electronic device and thereby preventing reporting of said position.

14. A method as in claim 13 further comprising automatic detection of a position of said electronic device via satellite positioning.

17. A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and

wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

18. A method as in claim 13 wherein said second mode of operation comprises actively jamming a position detection operation.

21. A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

22. A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. A method as in claim 22, further comprising updating a way that said cellular phone carries out said testing.

1,2 24. A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

Kindly add the following new claims:

25. An apparatus as in claim 1, wherein said override control operates in response to said manual actuation to produce a signal that prevents said position detection module from reporting any information, in any mode of said electronic device, until said manually deactuated.

13 26. An apparatus, comprising:

a portable telephone, including:

(1) telephone electronics enabling telephone communication;

(2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and

(3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and

a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate.

27. An apparatus as in claim 26, wherein said override control prevents said position detection module from determining said determined position.

28. An apparatus as in claim 26, wherein said operating said override control allows said position detection module to determine said determined position, but prevents said reporting device from reporting said information indicative of said determined position.

29. An apparatus as in claim 26, wherein said override control includes a jamming element which produces a jamming signal, responsive to said override control, that prevents said reporting device from reporting said information indicative of said determined position.

30. An apparatus as in claim 26, wherein said position detection module includes a satellite positioning system device.

31. An apparatus as in claim 26, wherein said override control includes a button.

32. An apparatus as in claim 31, wherein said override control produces an enable signal state which enables the position detector to determine its position and report that position to said remote object.

33. An apparatus as in claim 30, wherein said remote object includes a base station associated with a telephone system.

34. An apparatus as in claim 26, further comprising an indicator which indicates whether the override control is in a state which prevents said reporting device from reporting.

35. An apparatus as in claim 34, wherein said indicator includes an optical indicator.

36. An apparatus as in claim 35, wherein said optical indicator includes an indicator which can be selectively illuminated.

37. An apparatus, comprising:

an electronic device having a first electronics module, and a position detection module therein which determines a position of said electronic device and produces a signal for reporting information indicative of said position of said electronic device to a remote object; and

a position reporting control, which includes a manual control, which is manually actuatable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said first electronics module to continue to operate after said first specified actuation and before said second specified actuation.

38. An apparatus as in claim 37, wherein said manual control includes a button which commands circuitry in said telephone to stop performing certain operations when in a first state produced by said first specified actuation.

39. An apparatus as in claim 37, wherein said first specified actuation prevents said position detection module from determining said determined position.

40. An apparatus as in claim 37, wherein said first specified actuation prevents said position reporting device from reporting information indicative of the determined position.

41. An apparatus as in claim 37, wherein said first electronics module includes communication circuitry, which continues to operate after said first specified actuation.

42. An apparatus as in claim 41, wherein said apparatus includes a portable telephone, and said first electronics module includes circuitry associated with said portable telephone, including circuitry for communicating with a base station associated with the telephone.

43. An apparatus as in claim 37, further comprising an indicator, which indicates a state of said first specified actuation.

44. An apparatus as in claim 43, wherein said indicator is an optical indicator.

45. An apparatus, comprising:

a cellular telephone, having a cellular electronics module, and a position detection module which determines a position of said cellular telephone and produces a signal for reporting information indicative of said position of said cellular telephone to a remote object;

03 a position reporting control, which includes a manual control, which is manually actuatable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said cellular electronics module to continue to operate; and

an optical indicator, which produces an optical indication which indicates that said first specified actuation has been carried out, and that a privacy enhanced mode has been entered.

46. An apparatus as in claim 45, wherein said first specified actuation prevents said position detection module from determining said determined position.

47. An apparatus as in claim 45, wherein said first specified actuation prevents a reporting device from reporting information indicative of the determined position.

④3 48. A method of operating a cellular telephone, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station; and

responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station.

49. A method as in claim 48 wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning.

50. A method as in claim 49, wherein said second mode of operation prevents said position module from detecting the position via satellite positioning.

51. A method as in claim 49, wherein said second mode of operation allows said position module to detect a position via satellite positioning, but prevents reporting of the detected position.

52. A method as in claim 48, further comprising indicating that said reporting is blocked, using an optical indicator.

53. A method as in claim 50, wherein said second mode of operation interferes with operation of satellite positioning circuitry via jamming.

54. A method, comprising:
operating a cellular phone in a first mode in which its position can be reported to a remote location; and

responsive to an action by a user of a specific type, operating said cellular phone in a privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but position information is not reported to said remote location.

55. A method as in claim 54, further comprising indicating optically when said cellular phone is in said privacy enhanced mode.

56. A method as in claim 54, wherein said operating in said privacy enhanced mode comprises interfering with said position reporting.

57. A method as in claim 56, wherein said interfering comprises producing a signal that interferes with said position reporting.

58. A method as in claim 56, wherein said interfering comprises blocking a signal that is necessary for said position reporting.

59. A method as in claim 56, wherein said interfering comprises producing an electrical signal in electrical circuitry, that prevents said position reporting.

Sub
E7
03
60. A method as in claim 21, wherein said action by said user comprises attaching an external blocking device to said cellular phone.

61. A method as in claim 24, further comprising, responsive to actuating said actuating element, changing an electrical signal in a way which prevents said position from being reported to said remote location.

62. A method as in claim 24, further comprising, responsive to actuating said actuating element, interfering with said position being reported to said remote location.

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested. After entry of this amendment, claims 1-8, 10-14, 17-18 and 21-62 will be pending.

Initially, the indication that claims 4-7, 10, 11, 17-18, and 23 are allowed is appreciatively noted. These claims are retained.

The antecedent basis objection to claim 8 has been obviated herein by amendment.

Claims 1-3, 8, 12-14, 21, 22 and 24 stand rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Patent No. 6,049,718 to Stewart ("the '718 patent"). This contention is respectfully traversed. As required by Graham v. John Deere, the scope and contents of the prior art will first be discussed, followed by a discussion of how the claimed invention differs from this scope and contents.

'718 teaches a system with a telephone and its operation. In one mode, the telephone communicates with other telephones as conventional. As part of this operation, a calling device may also produce a location request signal. The portable telephone 28 may have a GPS location detector 40, see column 5 line 15. When a location request signal is directed to the portable telephone, the GPS location detector will return the current position, see column 5 lines 63-67. However, when this happens, a location request is also communicated to the holder of the portable telephone via a user location alert 35. See generally column 5, lines 20-27. In the disclosed embodiment, the location alert may be a vibrator.

Admittedly, there is a bypass switch 42, but that bypass switch is very different from the bypass switch of the present invention.

The system of '718 may detect the position of the telephone without actually ringing the telephone. See generally, column 6 beginning at line 33. This describes that an incoming call may be provided with a synthesized voice message indicating that "if only the called number's current location is required, the location request code should now be entered". See column 6 lines 36-38. The caller may therefore enter that code, and then automatically receive updates on the portable telephone's location. See column 6 lines 49-51. When the location is requested, information about that location is automatically returned to the calling telephone.

An additional aspect of the manual override control is described line 62 of column 8 to line 15 of column 9. This additional aspect does not prevent reporting of the location information, but rather constrains the position reporting, such that the position can only be reported when the unit is in the bypass mode. This does not "prevent ... said position detection module from reporting said information about its position..." as claimed. In fact, it still allows the position to be reported.

As demonstrated above, the bypass switch 42 does not prevent the telephone from reporting information about its position. Rather it only changes which mode the telephone can be in when this is reported, i.e. whether the location alert is illuminated and or the sound is issued.

Again, column 8, lines 62-65 explains that the portable phone's location may be retrieved from any other telephone "without disturbing the portable phone user". This is basically a background operation, that is, the position is detected without disturbing the user. Column 9, lines 1-2 describes that the user can only prevent this operation from being carried out in the background, not prevent the operation entirely using the bypass switch 42. This does not prevent the position from being reported. It only affects whether the user is alerted about whether the position is being reported. Again, this is evident from the language of '718 column 9 lines 2-4 which describes the bypass as ensuring that "no locations are transmitted without the user being alerted by user call alert 34...". This would still allow the GPS detector to provide a location signal when an incoming call was made. This only described deactivating the "background operation".

Therefore, this override control does not carry out the operation of producing a signal "that prevents said position detection module from reporting said information about its position...". The bypass switch does not produce such a signal that prevents the position detection module from reporting the information. In fact, the information is still reported, as described above. Therefore, it is respectfully suggested that claim 1 is completely patentable over the '718 Patent.

The dependent claims are even further patentable. Claim 2 specifies that the actuating prevents the position detection module from determining its position. The disclosure in column 9 of the '718 patent only describes blocking overriding the silent mode; but STILL ALLOWS detecting the position to be reported in the normal (non-silent) mode. It describes nothing about preventing the position detection module from determining its position. In fact, since the location request code is still answered when it is not a purely background mode, it is clear that the positioning/GPS device is not turned off.

Claim 3 should be further allowable. Again, '718 does not teach or suggest preventing the detection module from reporting the information that it has obtained.

Claim 25 is newly added, and further defines that the override control prevents any reporting of information in any mode. This even further distinguishes over '718, which certainly does not prevent reporting in all modes as defined by claim 25.

Claim 12 should be additionally allowable on its own merits. Claim 12 has a specific advantage of allowing the portable telephone operation for communication to continue while the position reporting part is blocked. As explained above, this is in no way taught or suggested by the cited prior art.

Claim 8 should be allowable for similar reasons to those described above with respect to claim 1. Specifically, claim 8 specifies that the actuating mechanism prevents the position detection module from reporting information about its position. As described above, the system in '718 does not prevent reporting the position. See column 9 lines 8-10. Therefore, claim 8, which prevents the position detection module from reporting the information, is not rendered unpatentable by '718, and should be allowable thereover.

Claim 13 has been amended to emphasize that manual actuation of the mechanism disables the automatic reporting and prevents any automatic reporting of said position. As described above, '718 still allows automatic reporting of the position even when the "bypass switch" is actuated. Therefore, claim 13 should be allowable, along with claim 14 which depends therefrom.

Claim 21 should be allowable for similar reasons. In the privacy enhanced mode of claim 21, the position of the cellular phone "can not be automatically reported to said remote location". '718 still allows this automatic reporting, although not in the background. Therefore, claims 21-24 should be allowable. Moreover '718 never teaches or in any way alludes to such a "privacy enhanced mode" as claimed.

Claims 21, 22 and 24 stand rejected under 35 USC 102(e) as allegedly being anticipated by Yee, U.S. Patent No. 6,085,090. Again, this contention is respectfully traversed, and it is respectfully suggested that the rejection does not meet the patent office's burden of providing a prima facie showing of unpatentability.

The rejection incorrectly alleges that Yee has an override control. The control is described in column 2 line 51 through column 3 line 4 and column 11 line 67 through column 12 line 12. This portion only describes a sleep mode for power savings. In this sleep mode, the essential portions of the device are placed into a power saving mode and nonessential portions are switched off, to conserve power. While admittedly Yee describes that some portions are kept on and other portions are kept off, Yee does not disclose the specific features of claim 21. Yee does not disclose the privacy enhanced mode in which the cellular phone can be used to place and receive calls but the position cannot be reported. Column 11 line 67 describes that when the connection is made, encrypted digital commands may activate the GPS receiver and automatically transmit the positional information back to the "Iridium" satellite system. Nowhere is there any teaching or suggestion of overriding this position reporting system. In fact, columns 11-12 teach quite the opposite, and explicitly teaches that this system may be used to locate the user in case of emergency. Nowhere is there any teaching or suggestion of overriding the position detection as defined by claim 21. Yee quite simply teaches the opposite.

For these reasons, it is respectfully suggested that this rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability.

Claims 1-3, 8 and 12-14 stand rejected as being obvious over U.S. Patent 6,222,484 to Seiple ("the '484 Patent") in view of U.S. Patent No. 5,751,373 ("the '373 Patent"). This contention again is respectfully traversed. Admittedly, the '484 patent teaches an emergency location system using GPS. The rejection alleges that there is an override module in this system. However, this is not in fact correct. This whole system can be turned on or off. As explained in column 5, the unit can be activated automatically when it becomes wet, or may be activated manually by the user. Nowhere is there any teaching or suggestion of blocking automatic reporting of information while allowing the rest of the electronics of the device to operate. In fact, one of the reports of information is made to the "Iridium" system, such as is done by '090.

There is admittedly an ON/OFF switch. However, nowhere is there any teaching or suggestion of any switch which, as defined by claim 1, "produces a signal that prevents said position detection module from reporting said information about its position, and which allows other parts of said electronic device to operate".

The '373 patent is provided to show a sleep switch. Again, admittedly, sleep modes in such a device are well known. The hypothetical combination of '484 in view of '373 might, therefore, enable a sleep mode. In this sleep mode, various parts of the circuitry might be turned off. Nowhere does '373, however, or the combination of '373 and '484, specifically teach an override control that prevents the position detection module from reporting the information about its position while allowing other parts of the circuit to operate. In fact, this combination is entirely based on hindsight.

Even assuming that the combination was made, it would not teach or suggest structure that prevents reporting position information, but allows other parts of the device to operate as claimed. It certainly does not teach structure which may prevent a detection module from determining its position as defined by claim 2, and certainly does not teach the position module to operate but prevents it from reporting as defined by claim 4. Quite simply, this was never intended as a privacy enhancing device as claimed, and as such does not teach or suggest the present claims.

Similarly, claim 8 defines preventing the position detection module from reporting the information based on the actuation. As described above, '484 in view of '373 does not teach or suggest any such structure or operation.

The method claims should be similarly allowable. Claim 13 defines a manual actuation that disables the automatic reporting. Independent of whether any kind of sleep mode exists, there is quite simply no suggestion in '484 in view of '373 of preventing or disabling this automatic reporting as defined by claim 13.

Claim 21 is similarly allowable, since it defines a privacy enhanced mode in which the cellular phone functions can be used to place and/or receive calls, but the position cannot be automatically reported to the remote location.

As should be evident from the above, there is quite simply no teaching or suggestion of this subject matter in the cited prior art. The rejections are based entirely on hindsight. They are not based on the teaching of the present application, but are rather made after having the teaching of the present application, and using that teaching as a guide to find prior art that meets this teaching.

New claims 25-55, which are newly added herein, define additional aspects of the above. Claims like new claim 26 defines that the override control prevents the reporting device "from reporting any information..." (emphasis added). Other claims define different aspects, none of which are in any way taught or suggested by the prior art.

Therefore, in view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

Date:

10/9/01



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082



MARKED UP VERSION OF CLAIM CHANGES

1. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate.

3. (Amended) An apparatus as in claim [2] 1, wherein said actuating said override control allows said position detection module to [operate] determine its position, but prevents said position detection module from reporting said information.

6. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

⑧ (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said actuating_mechanism [is] includes a button which commands circuitry in said [telephone] electronic device to stop performing certain operations based on said actuating and until said deactuation.

12. (Amended) An apparatus as in claim 1 wherein said electronic device is a portable telephone, and said override control allows said telephone to operate for communication but not to report said position.

13. (Amended) A method of operating an electronic device, comprising:

[allowing, in] enabling a first mode of operation[,] in which automatic reporting of a position of said electronic device is allowed; and

responsive to a manual actuation of an actuating mechanism,
[allowing a second mode of operation which prevents] disabling
said automatic reporting of said position of said electronic
device and thereby preventing reporting of said position.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

23844 7590 12/21/2001

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

EXAMINER

BLUM, THEODORE M

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED: 12/21/2001

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/690001	Applicant(s) HARRIS
	Examiner T. BLUM	Group Art Unit 3662

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

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) 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 response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☒ Responsive to communication(s) filed on 10-18-01

☒ This action is **FINAL**.

☐ 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

☒ Claim(s) 1-8, 10-14, 17, 18, 21-62 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 4-7, 10, 11, 17 is/are allowed.

☒ Claim(s) 1-3, 8, 12-14, 21, 22, 24-62 is/are rejected.

☒ Claim(s) 18, 23 is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____	☐ Interview Summary, PTO-413
☐ Notice of References Cited, PTO-892	☐ Notice of Informal Patent Application, PTO-152
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	☐ Other _____

Office Action Summary

Art Unit: 3662

1. The amendment filed October 18, 2001 is acknowledged.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 8, 12-14, 21, 22, and 24-62, are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart.

Stewart teaches the claimed method and structure for operating an electronic device including: GPS position detection module (40), cellular telephone (Figure 2), manual override control switch (42, column 8, line 62 to column 9, line 15) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate, and optical indicator (43) which indicated the position of the manual override control

Art Unit: 3662

switch (42, column 5, lines 38-40) and as a result, that a privacy enhanced mode has been entered.

Applicant argues in the amendment filed October 18, 2001 that the override control switch (42) of Stewart does not prevent the position detection module from reporting information about its position. However, lines 5-10 in column 9 of Stewart state "Bypass switch 42 can further also allow the user to completely deactivate background operation so that received incoming calls carrying only a location request code will be automatically disconnected without GPS location detector 40 providing a location signal".

4. The following is a quotation of 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 of this title, 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 negated by the manner in which the invention was made.

Art Unit: 3662

5. Claims 1-3, 8, 12-14, and 25-62, are rejected under 35 U.S.C. 103(a) as being unpatentable over Seiple et al in view of Ohyama et al, both newly cited.

Seiple et al teaches the claimed method and structure for operating an electronic device including: position detection module (Figure 2A), transceiver (21), override control (switch 30, Figure 3.5, column 4, lines 60-65, column 5, lines 22-24, column 7, lines 37-46, and column 10, lines 31-38) which is actuated to prevent said position detection module from reporting information about its position, but which allows other parts of said electronic device to operate.

Ohyama et al teaches a manual switch (103 in Figure 17, and column 13, lines 28-32) to place the electronic apparatus in a sleep mode.

At any time, to save power used by the electronic device, obviously the GPS receiver of Seiple et al can be placed in the sleep mode (column 7, lines 37-44 of Seiple et al) by a manual switch as taught by sleep mode switch 103 of Ohyama et al (column 13, lines 28-32).

Applicant argues in the amendment filed October 18, 2001 that the “whole system can be turned on or off”. However, Figures 3.2-3.5 indicate that the GPS subsystem and the Radio receiver subsystem can be turned on or off independently from each other.

6. Claims 18 and 23 are objected to as depending from a rejected antecedent claim.

7. Claims 4-7, 10, 11, and 17, are allowed.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). 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 date of this final action.

9. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER

Official

Attorney's Docket No.: GPS-Privacy/SA

FAX RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 21 2002

Applicant: Scott C. Harris
 Serial No: 09/690,001
 Filed : October 16, 2000
 Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit: 3662
 Examiner: T. Blum

Fax to GROUP 3600

103 872 #13 / Andi
 9327 Den
 36+1 pages Bentley
 2/26/02

Assistant Commissioner for Patents
 Washington, DC 20231

TRANSMITTAL LETTER AND PETITION FOR AUTOMATIC EXTENSION

Correspondence relating to this application is enclosed. The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-1387.

The present application qualifies for small entity status under 37 C.F.R. § 1.27.

Total Claims	<u>46</u>	-	<u>57</u>	=	<u>0</u>	\$ <u>0</u>
Independent	<u>17</u>	-	<u>13</u>	=	<u>4</u>	\$ <u>168</u>

TOTAL FEE DUE: \$168

Respectfully submitted,

Date: 2/21/02

Scott C. Harris
 Reg. No. 32,030

Customer No. 23844
 Scott C. Harris, Esq.
 P.O. Box 927649
 San Diego, CA 92192
 Telephone: (619) 823-7778
 Facsimile: (858) 678-5082

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

2-21-02
 Date of Deposit
Scott Harris
 Signature

Scott Harris
 Typed or Printed Name of Person

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris
Serial No.: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit : 3662
Examiner : T. Blum

Official

Assistant Commissioner for Patents
Washington, D.C. 20231

FAX RECEIVED

FEB 21 2002

GROUP 3600

AMENDMENT AFTER FINAL

Sir:

In response to the Official Action dated December 21, 2001, in the above-referenced case, kindly amend the application as follows.

In the Claims:

Please amend the claims as follows:

1. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

2-21-02
Date of Deposit

Signature

Scott Harris
Typed or Printed Name of Person

Received from <858 678 5082> at 2/21/02 7:56:43 PM [Eastern Standard Time]

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from [reporting said information about] determining its position, but which allows other parts of said electronic device to operate.

2. Cancel.

3. Cancel.

4. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

5. An apparatus as in claim 4, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

6. An apparatus, comprising:
an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. An apparatus as in claim 6, wherein said information includes false information that provides false data to said position detection module.

8. Cancel.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

10. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

11. An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

12. Cancel.

13. Cancel.

14. Cancel

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

17. A method of operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting of a position of said electronic device;
allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and
wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

18. (Amended) A method of operating an electronic device, comprising:
enabling a first mode of operation in which automatic reporting of a position of said electronic device is allowed; and
responsive to a manual actuation of an actuating mechanism, disabling said automatic reporting of said position of said electronic device and thereby preventing reporting of said position, wherein said second mode of operation comprises actively jamming a position detection operation.

21. A method, comprising:
operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and
responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

22. A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. (Amended) A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location;

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location;

testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced; and

updating a way that said cellular phone carries out said testing.

24. A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

25. (Amended) An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate, wherein said override control operates in response to said manual actuation to produce a signal that prevents said position detection module from reporting any information, in any mode of said electronic device, until said manually deactivated.

26. An apparatus, comprising:

a portable telephone, including:

- (1) telephone electronics enabling telephone communication;
- (2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and
- (3) a reporting device which reports information indicative of said

determined position of said portable telephone to a remote object; and

a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate.

27. An apparatus as in claim 26, wherein said override control prevents said position detection module from determining said determined position.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

28. An apparatus as in claim 26, wherein said operating said override control allows said position detection module to determine said determined position, but prevents said reporting device from reporting said information indicative of said determined position.

29. (Amended) An apparatus, comprising:

a portable telephone, including:

- (1) telephone electronics enabling telephone communication;
 - (2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and
 - (3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and
- a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate; and

wherein said override control includes a jamming element which produces a jamming signal, responsive to said override control, that prevents said reporting device from reporting said information indicative of said determined position.

30. An apparatus as in claim 26, wherein said position detection module includes a satellite positioning system device.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

31. An apparatus as in claim 26, wherein said override control includes a button.

32. An apparatus as in claim 31, wherein said override control produces an enable signal state which enables the position detector to determine its position and report that position to said remote object.

33. An apparatus as in claim 30, wherein said remote object includes a base station associated with a telephone system.

34. An apparatus as in claim 26, further comprising an indicator which indicates whether the override control is in a state which prevents said reporting device from reporting.

35. An apparatus as in claim 34, wherein said indicator includes an optical indicator.

36. An apparatus as in claim 35, wherein said optical indicator includes an indicator which can be selectively illuminated.

37. An apparatus, comprising:

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an electronic device having a first electronics module, and a position detection module therein which determines a position of said electronic device and produces a signal for reporting information indicative of said position of said electronic device to a remote object; and

a position reporting control, which includes a manual control, which is manually actuatable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said first electronics module to continue to operate after said first specified actuation and before said second specified actuation.

38. An apparatus as in claim 37, wherein said manual control includes a button which commands circuitry in said telephone to stop performing certain operations when in a first state produced by said first specified actuation.

39. An apparatus as in claim 37, wherein said first specified actuation prevents said position detection module from determining said determined position.

40. An apparatus as in claim 37, wherein said first specified actuation prevents said position reporting device from reporting information indicative of the determined position.

41. An apparatus as in claim 37, wherein said first electronics module includes communication circuitry, which continues to operate after said first specified actuation.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

42. An apparatus as in claim 41, wherein said apparatus includes a portable telephone, and said first electronics module includes circuitry associated with said portable telephone, including circuitry for communicating with a base station associated with the telephone.

43. An apparatus as in claim 37, further comprising an indicator, which indicates a state of said first specified actuation.

44. An apparatus as in claim 43, wherein said indicator is an optical indicator.

45. An apparatus, comprising:
a cellular telephone, having a cellular electronics module, and a position detection module which determines a position of said cellular telephone and produces a signal for reporting information indicative of said position of said cellular telephone to a remote object;

a position reporting control, which includes a manual control, which is manually actuable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said cellular electronics module to continue to operate; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an optical indicator, which produces an optical indication which indicates that said first specified actuation has been carried out, and that a privacy enhanced mode has been entered.

46. An apparatus as in claim 45, wherein said first specified actuation prevents said position detection module from determining said determined position.

47. An apparatus as in claim 45, wherein said first specified actuation prevents a reporting device from reporting information indicative of the determined position.

48. A method of operating a cellular telephone, comprising:
allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station; and
responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station.

49. A method as in claim 48 wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

50. A method as in claim 49, wherein said second mode of operation prevents said position module from detecting the position via satellite positioning.

51. A method as in claim 49, wherein said second mode of operation allows said position module to detect a position via satellite positioning, but prevents reporting of the detected position.

52. A method as in claim 48, further comprising indicating that said reporting is blocked, using an optical indicator.

53. (Amended) A method of operating a cellular telephone, comprising:
allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station;

responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station;

wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning;

wherein said second mode of operation prevents said position module from detecting the position via satellite positioning; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

wherein said second mode of operation interferes with operation of satellite positioning circuitry via jamming.

54. Cancel.

55. Cancel.

56. Cancel.

57. Cancel.

58. Cancel.

59. Cancel.

60 (Amended) A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location; and

wherein said action by said user comprises attaching an external blocking device to said cellular phone.

61. A method as in claim 24, further comprising, responsive to actuating said actuating element, changing an electrical signal in a way which prevents said position from being reported to said remote location.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

62. A method as in claim 24, further comprising, responsive to actuating said actuating element, interfering with said position being reported to said remote location.

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested. Initially, the indication that claims 4-7, 10, 11 and 17 are allowed is appreciatively noted. Claims 18 and 23 are indicated as allowable if rewritten into independent form. These claims are so rewritten herewith and hence these claims should also be allowable.

Claims 1-3,8, 12-14, 21, 22 and 24-62 stand rejected under 35 U.S.C. 103 as allegedly being anticipated by U.S. Patent 6,049,718 issued to Stewart. These claims stand alternatively rejected based on U.S. Patent No. 6,222,484 to Seiple, in view of U.S. Patent No. 5,751,373.

I. Certain Rejected Claims Include Similar Limitations to Claims already Allowed.

As a threshold matter, it is respectfully requested that the Patent Office reconsider certain ones of these dependant claims which are now amended into independent form. For example, it has been established by the indication of allowability that the combination including a position detection module and a jamming element, is not shown by the prior art. Similar combinations are found in certain rejected claims. For example, claim 29, which has now been amended into independent form, recites

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

that the override control includes a jamming element. This claim should be allowable as per the determination of same earlier in the Prosecution of this case. Similarly, claim 53 states that the second mode of operation interferes with operation of satellite positioning via jamming. This claim has also been amended into independent form and should be allowable since none of the prior art in the case teaches or suggests such a jamming.

Claim 60 has been amended into independent form herein, and recites attaching an external blocking device and should be allowable since none of the prior art teaches or suggests such an external blocking device. Again, other claims of similar scope are already indicated as allowable.

II. The Claims are not properly rejected over Stewart

To summarize, it is respectfully suggested that the rejection misconstrued Stewart. On page 3 in the first full paragraph, the rejection states that "the bypass which can be allowed to completely deactivate background operation...". This is correct, but Stewart DOES continue to allow non background operation, even when in the bypass mode.

Stewart's system has a "background operation", in which the querying party may detect the position of the telephone without actually ringing the telephone. See generally, column 6 beginning at line 33. This describes that an incoming call may be provided with a synthesized voice message indicating that "if only the called number's current location is required, the location request code should now be entered". See column 6 lines 36-38. The caller may therefore enter that code, and then automatically receive updates on the portable telephone's location. See column 6 lines 49-51. When

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

the location is requested, information about that location is automatically returned to the calling telephone.

An additional aspect of the manual override control is described line 62 of column 8 to line 15 of column 9. This additional aspect does not prevent all reporting of the location information, but rather constrains the position reporting, such that the position can only be reported when the unit is in the bypass mode. This does not "prevent ... said position detection module from reporting said information about its position..." as claimed. In fact, it still allows the position to be reported. It only prevents this reporting of position when in the bypass mode.

As demonstrated above, the bypass switch 42 does not prevent the telephone from reporting any information about its position. Rather it only changes which mode the telephone can be in when this is reported.

Again, column 8, lines 62-65 describes the background operation: that the portable phone's location may be retrieved from any other telephone "without disturbing the portable phone user".

Column 9, lines 1-2 describes that the user can only prevent this operation from being carried out in the background, and nothing suggests that the user can prevent the operation entirely using the bypass switch 42. This does not prevent the position from being reported. It only affects whether the user is alerted about whether the position is being reported. Again, this is evident from the language of '718 column 9 lines 2-4 which describes the bypass as ensuring that "no locations are transmitted without the user being alerted by user call alert 34...". This would still allow the GPS detector to

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

provide a location signal when an incoming call was made. This only described deactivating the "background operation".

Therefore, Stewart does not "prevents said position module from reporting any information" since in Stewart's bypass mode, only background operation is prevented.

Claims 8,13-14 and 54-59 are canceled to obviate this rejection. Certain other claims are further amended to emphasize their patentability over this reference. It is respectfully suggested that other claims remain patentable. Note again that Stewart does not teach total deactivation, but only prevents background operation. Operation in the non background mode is still permitted. Therefore, the position detection module must still be able to determine its position, or else operation in the foreground logically could not continue. Therefore, claim 1 has been amended to include the limitations of claim 2 which states that the override control prevents the position detection module from determining its position.

Claim 21 already recites that responsive to the action, the cellular phone is operated in a second privacy enhanced mode in which "its position can not be automatically reported to said remote location". As described above, even when the bypass mode is entered into Stewart, it can still operate in non background mode. Therefore, the limitations of claim 21, which states that the position "can not be automatically reported..." are not in any way taught or suggested by Stewart. Stewart, in fact, teaches away from this operation, since it teaches that position can be reported in the non-background mode.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

Claim 22 is even further allowable, since it defines testing to determine whether privacy is actually enhanced. Nothing in Stewart teaches testing to determine if this privacy is enhanced.

Claim 25 has been amended into Independent form, and is even further allowable over Stewart for similar reasons. Specifically claim 25 recites that the override control produces a signal "that prevents said position detection module from reporting any information in any mode of said electronic device until manually deactuating. As described above, Stewart still allows operation in the foreground mode, even after actuation of the bypass switch. Claim 25 is totally different.

Analogous to the above, claim 26 recites that the override control prevents the reporting device "from reporting any information indicative of the determined position". Emphasis added. Since Stewart still allows operation in the foreground mode, it does not prevent reporting "any" information as claimed.

Claim 27 is even further allowable since it defines preventing determining the determined position. As described above, Stewart still allows operation in the foreground mode, and therefore it logically follows that the position detection module must be able to determine the determined position.

Claim 37 includes similar language that noted above, and specifically includes the language that responsive to the actuation, the position reporting control "prevents any reporting" (emphasis added) of information. As described above, Stewart still allows reporting of some information in the non background mode. Therefore, claims 37 should be allowable along with the claims which depend therefrom.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

Claim 45 should be allowable for similar reasons, since it recites preventing "any reporting" emphasis added, and Stewart does not prevent any reporting; he only teaches preventing background reporting. Claim 46 should be even further allowable, since it prevents the determining, and logically Stewart cannot do this since it may enable operation in the non background mode.

Claimed 48 should be allowable since it also recites preventing "any reporting".

III. The claims are not unpatentable based on '484 in view of '373.

Regarding the rejection based on '484 in view of '373, the rejection has a good point at step 201 shows the GPS subsystem being powered on separately from the radio subsystem. However, all of the other claims made in the previous amendment are still valid. Even if '484 shows that it is possible to separately control the GPS and radio subsystems, it should be understood that the subsystems are not controlled for the same purpose as now claimed. There is nothing teaching or suggesting control of the subsystems for the purpose of preventing reporting of information, as now claimed.

As explained in column 5, the unit can be activated automatically when it becomes wet, or may be activated manually by the user. Nowhere is there any teaching or suggestion of blocking automatic reporting of information while allowing the rest of the electronics of the device to operate. In fact, one of the reports of information is made to the "Iridium" system, such as is done by '090.

There is admittedly an ON/OFF switch. However, nowhere is there any teaching or suggestion of any switch which, as defined by claim 1, "produces a signal that

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

prevents said position detection module from reporting said information about its position, and which allows other parts of said electronic device to operate".

The '373 patent is provided to show a sleep switch. Again, admittedly, sleep modes in such a device are well known. The hypothetical combination of '484 in view of '373 might, therefore, enable a sleep mode, and might enable separately turn off the GPS device when in that sleep mode. In this sleep mode, various parts of the circuitry might be turned off. Nowhere does '373, however, or the combination of '373 and '484, specifically teach an override control that prevents the position detection module from reporting the information about its position while allowing other parts of the circuit to operate. In fact, this combination is entirely based on hindsight.

Even assuming that the combination was made, it would not teach or suggest structure that prevents reporting position information, but allows other parts of the device to operate as claimed. It certainly does not teach structure which may prevent a detection module from determining its position as defined by claim 1. Quite simply, this was never intended as a privacy enhancing device as claimed, and as such does not teach or suggest the present claims.

The method claims should be similarly allowable. Claim 13 defines a manual actuation that disables the automatic reporting. Independent of whether any kind of sleep mode exists, there is quite simply no suggestion in '484 in view of '373 of preventing or disabling this automatic reporting as defined by claim 13.

Claim 21 is similarly allowable, since it defines a privacy enhanced mode in which the cellular phone functions can be used to place and/or receive calls, but the position cannot be automatically reported to the remote location.

ATTORNEY'S DOCKET NO. : GPS-PRIVACY/SCH

As should be evident from the above, there is quite simply no teaching or suggestion of this subject matter in the cited prior art. The rejections are based entirely on hindsight. They are not based on the teaching of the present application, but are rather made after having the teaching of the present application, and using that teaching as a guide to find prior art that meets this teaching.

For all of these reasons, it is respectfully suggested that the rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability. A notice of allowance is hence respectfully requested.

Therefore, in view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

Date: 2-21-02



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

MARKED UP VERSION OF CLAIM CHANGES

1. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from ~~reporting said information about~~ determining its position, but which allows other parts of said electronic device to operate.

2. Cancel.

3. Cancel.

4. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

5. An apparatus as in claim 4, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

6. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

7. An apparatus as in claim 6, wherein said information includes false information that provides false data to said position detection module.

8. Cancel.

10. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

11. An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

12. Cancel.

13. Cancel.

14. Cancel

17. A method of operating an electronic device, comprising:
allowing, in a first mode of operation, automatic reporting of a position of said electronic device;
allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and
wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

18. (Amended) [A method as in claim 13] A method of operating an electronic device, comprising:
enabling a first mode of operation in which automatic reporting of a position of said electronic device is allowed; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

responsive to a manual actuation of an actuating mechanism, disabling said automatic reporting of said position of said electronic device and thereby preventing reporting of said position, wherein said second mode of operation comprises actively jamming a position detection operation.

21. A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location.

22. A method as in claim 21, further comprising testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced.

23. (Amended) [A method as in claim 22, further comprising] A method, comprising:
operating a cellular phone in a first mode in which its position can be
automatically reported to a remote location;

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location;

testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced; and

updating a way that said cellular phone carries out said testing.

24. A method as in claim 21, wherein said action by said user of the specified type comprises actuating an actuation element on the cellular telephone.

25. (Amended) [An apparatus as in claim 1,] An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which includes a manual actuating mechanism and which, in response to manual actuation of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate, wherein said override control operates in response to said manual actuation to produce a signal that prevents said position detection module from reporting any information, in any mode of said electronic device, until said manually deactuated.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

26. An apparatus, comprising:
a portable telephone, including:
(1) telephone electronics enabling telephone communication;
(2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and
(3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and
a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate.

27. An apparatus as in claim 26, wherein said override control prevents said position detection module from determining said determined position.

28. An apparatus as in claim 26, wherein said operating said override control allows said position detection module to determine said determined position, but prevents said reporting device from reporting said information indicative of said determined position.

29. (Amended) [An apparatus as in claim 26,] An apparatus, comprising:
a portable telephone, including:
(1) telephone electronics enabling telephone communication;

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

(2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and

(3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate; and

wherein said override control includes a jamming element which produces a jamming signal, responsive to said override control, that prevents said reporting device from reporting said information indicative of said determined position.

30. An apparatus as in claim 26, wherein said position detection module includes a satellite positioning system device.

31. An apparatus as in claim 26, wherein said override control includes a button.

32. An apparatus as in claim 31, wherein said override control produces an enable signal state which enables the position detector to determine its position and report that position to said remote object.

33. An apparatus as in claim 30, wherein said remote object includes a base station associated with a telephone system.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

34. An apparatus as in claim 26, further comprising an indicator which indicates whether the override control is in a state which prevents said reporting device from reporting.

35. An apparatus as in claim 34, wherein said indicator includes an optical indicator.

36. An apparatus as in claim 35, wherein said optical indicator includes an indicator which can be selectively illuminated.

37. An apparatus, comprising:

an electronic device having a first electronics module, and a position detection module therein which determines a position of said electronic device and produces a signal for reporting information indicative of said position of said electronic device to a remote object; and

a position reporting control, which includes a manual control, which is manually actuable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said first electronics module to continue to operate after said first specified actuation and before said second specified actuation.

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

38. An apparatus as in claim 37, wherein said manual control includes a button which commands circuitry in said telephone to stop performing certain operations when in a first state produced by said first specified actuation.

39. An apparatus as in claim 37, wherein said first specified actuation prevents said position detection module from determining said determined position.

40. An apparatus as in claim 37, wherein said first specified actuation prevents said position reporting device from reporting information indicative of the determined position.

41. An apparatus as in claim 37, wherein said first electronics module includes communication circuitry, which continues to operate after said first specified actuation.

42. An apparatus as in claim 41, wherein said apparatus includes a portable telephone, and said first electronics module includes circuitry associated with said portable telephone, including circuitry for communicating with a base station associated with the telephone.

43. An apparatus as in claim 37, further comprising an indicator, which indicates a state of said first specified actuation.

44. An apparatus as in claim 43, wherein said indicator is an optical indicator.

ATTORNEY'S DOCKET NO. : GPS-PRIVACY/SCH

45. An apparatus, comprising:

a cellular telephone, having a cellular electronics module, and a position detection module which determines a position of said cellular telephone and produces a signal for reporting information indicative of said position of said cellular telephone to a remote object;

a position reporting control, which includes a manual control, which is manually actuable by a user, and which, in response to a first specified actuation by a user, prevents any reporting of said information about position until a second specified actuation by a user, but which allows said cellular electronics module to continue to operate; and

an optical indicator, which produces an optical indication which indicates that said first specified actuation has been carried out, and that a privacy enhanced mode has been entered.

46. An apparatus as in claim 45, wherein said first specified actuation prevents said position detection module from determining said determined position.

47. An apparatus as in claim 45, wherein said first specified actuation prevents a reporting device from reporting information indicative of the determined position.

48. A method of operating a cellular telephone, comprising:

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station; and

responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station.

49. A method as in claim 48 wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning.

50. A method as in claim 49, wherein said second mode of operation prevents said position module from detecting the position via satellite positioning.

51. A method as in claim 49, wherein said second mode of operation allows said position module to detect a position via satellite positioning, but prevents reporting of the detected position.

52. A method as in claim 48, further comprising indicating that said reporting is blocked, using an optical indicator.

53. (Amended) [A method as in claim 50,] A method of operating a cellular telephone, comprising:

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station;

responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station;

wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning;

wherein said second mode of operation prevents said position module from detecting the position via satellite positioning; and

wherein said second mode of operation interferes with operation of satellite positioning circuitry via jamming.

54. Cancel.

55. Cancel.

56. Cancel.

57. Cancel.

58. Cancel.

59. Cancel.

60. (Amended) [A method as in claim 21,] A method, comprising:

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

operating a cellular phone in a first mode in which its position can be
automatically reported to a remote location; and
responsive to an action by a user of a specific type, operating said cellular phone
in a second, privacy enhanced mode, in which cellular phone functions can be used to
place and/or receive calls, but its position can not be automatically reported to said
remote location; and
wherein said action by said user comprises attaching an external blocking device
to said cellular phone.

61. A method as in claim 24, further comprising, responsive to actuating said actuating element, changing an electrical signal in a way which prevents said position from being reported to said remote location.

62. A method as in claim 24, further comprising, responsive to actuating said actuating element, interfering with said position being reported to said remote location.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

23844 7590 02/27/2002

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

EXAMINER

BLUM, THEODORE M

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED: 02/27/2002

14

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run _____ or continues to run 3 mos. from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 2-21-02 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- ☒ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
 - ☒ They raise new issues that would require further consideration and/or search. (See Note).
 - ☐ They raise the issue of new matter. (See Note).
 - ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: new issue: the amendment to claim 1

2. ☒ Newly proposed or amended claims 18, 23, 29, 53, 60 would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

Claims allowed: 4-7, 10, 11, 17
Claims objected to: 18, 23
Claims rejected: 1-3, 8, 12-14, 21, 22, 24-62

However;

☐ Applicant's response has overcome the following rejection(s): _____

4. ☐ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because _____

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER

*U.S. GPO: 1997-417-381/62704

Attorney's Docket No.: GPS-Privacy/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott C. Harris
Serial No: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit : 3662
Examiner: T. Blum

FAX RECEIVED

MAR 21 2002

GROUP 3600

Assistant Commissioner for Patents
Washington, DC 20231

NOTICE OF APPEAL

Official

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated February 27, 2002, finally rejecting claims 1-3, 8 12-14, 21, 22 and 24-62.

The present application qualifies for small entity status under 37 C.F.R. § 1.27.

Please charge \$160 to Deposit Account No. 50-1387 for the notice of appeal fee.

Respectfully submitted,

Date: 3/21/02

Scott C. Harris
Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

3-21-02
Date of Facsimile

Scott Harris
Signature

Scott Harris
Typed or Printed Name of Person

Attorney's Docket No.: GPS-Privacy/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott C. Harris
Serial No: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit: 3662
Examiner: T. Blum

Assistant Commissioner for Patents
Washington, DC 20231

Attention: Petitions

PETITION FOR RECONSIDERATION OF AMENDMENT AFTER FINAL

Sir:

Applicant respectfully requests consideration of the amendment after final which was originally filed on February 21, 2002. It is respectfully suggested that the indication that the amendment represented "new issues" is in fact incorrect. It is also respectfully suggested that this amendment reduces the issues on appeal, and puts the case in better condition for appeal. Therefore, for these reasons, it is respectfully suggested that this amendment should be entered after final.

Facts: An Amendment after Final was filed on February 21, 2002. This amendment canceled many of the pending claims, and narrowed many of the other claims according to limitations of dependent claims. On February 27, 2002 the Patent Office mailed an Advisory Action, refusing to enter said amendment, stating that the amendment raised "new issues". In the comments supporting new issues, the patent office stated the "new issue: the amendment to claim 1". In fact, however, this

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

3-21-02
Date of Deposit
Signature Scott Harris
Typed or Printed Name of Person

Attorney's Docket No.: GPS-Privacy/SCH

amendment and the other comparable amendments in the case are not in fact a new issue. Claim 1, prior to this amendment, stated that the override control prevented the position detection module from reporting information about its position. Claims 2 and 3 specify different alternatives of how that was done. Claim 2 states that the override control prevents the position detection module from determining its position. Claim 3 states that the override control is allowed to determine its position, but prevents the override control from reporting it.

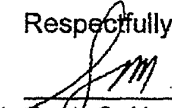
In the amendment, the limitations of claim 2 were incorporated into claim 1, and both claims 2 and 3 are canceled. Specifically, the amendment stated that the position detection module was prevented from determining its position. This was merely an incorporation of a dependent claim into the respective independent claim. Therefore, this was not a new issue; since the claim combination was already present in the case.

A notice of appeal is being filed, and subsequently an appeal brief will be filed to demonstrate the patentability of these claims. This amendment, however, narrows the issues on appeal, and should be entered for that purpose AND because it does not raise new issues. Accordingly, it is respectfully requested that the amendment after final should have been entered. Reversal of the refusal to enter this amendment is requested.

Attorney's Docket No.: GPS-Privacy/SCH

Date: 3/21/02

Respectfully submitted,



Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082

Received from < 858 678 5082 > at 3/21/02 4:43:12 PM [Eastern Standard Time]



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

23844 7590 03/27/2002

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

EXAMINER

BLUM, THEODORE M

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED: 03/27/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	17

DATE MAILED:

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run _____ or continues to run 3 mos from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 3-21-02 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☒ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:

- a) ☒ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
- b) ☒ They raise new issues that would require further consideration and/or search. (See Note).
- c) ☐ They raise the issue of new matter. (See Note).
- d) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- e) ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: new issue (clm. 1): "reporting said information about its position (deleted) is very different from determining its position (substituted therefor) - the deletion and addition to clm. 1 is new matter"

2. ☒ Newly proposed or amended claims 18, 23, 29, 53, 60 would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☐ will be entered ☒ will not be entered and the status of the claims will be as follows:

Claims allowed: 4-7, 10, 11, 17
Claims objected to: 18, 23
Claims rejected: 1-3, 8, 12-14, 21, 22, 24-62

However;

☐ Applicant's response has overcome the following rejection(s): _____

4. ☐ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because _____

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

09/690001

PTOL-303 (REV. 5-89)

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER

*U.S. GPO: 1997-417-381/62704

From: Scott Harris To: USPTO 3600 after final

Date: 5/9/2002 Time: 8:57:1

Page 1 of 8

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris

Art Unit : 3662

Serial No.: 09/690,001

Examiner : T. Blum

Filed : October 16, 2000

Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AFTER FINAL

Sir:

In response to the Official Action dated December 21, 2001, in the above-referenced case, kindly amend the application as follows.

In the Claims:

Cancel claims 1-3, 8, 12-14, 21, 22, 24-52, 54-59 and 61, 62.

The pending claims are as follows (no claims are changed)

RECEIVED
MAY 21 2002
GROUP 3600

An apparatus, comprising:

Fax to 703-872-9387

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

Date of Deposit 5-9-02
Signature Scott Harris
Typed or Printed Name of Person Scott Harris

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate;

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

FI
Contd

2
1. An apparatus as in claim 1, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

2
1. An apparatus, comprising:
an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

11

9

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with operation of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

E1
Conced

4

3

An apparatus as in claim 1, wherein said information includes false information that provides false data to said position detection module.

6/10

An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

E2

12

E

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

E2
Conced

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

~~5~~
11

3

An apparatus as in claim 6 wherein said jamming element is connected to receive electrical power from said electronic device.

~~7~~
11

A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and

wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

E3

~~8~~
16

A method of operating an electronic device, comprising:

enabling a first mode of operation in which automatic reporting of a position of said electronic device is allowed; and

responsive to a manual actuation of an actuating mechanism, disabling said automatic reporting of said position of said electronic device and thereby preventing reporting of said position, wherein said second mode of operation comprises actively jamming a position detection operation.

13

E

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

9
28

(Amended) A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location;

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location;

testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced; and

updating a way that said cellular phone carries out said testing.

10
29

An apparatus, comprising:

a portable telephone, including:

(1) telephone electronics enabling telephone communication;

(2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and

(3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and

a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

EB
cancel

wherein said override control includes a jamming element which produces a jamming signal, responsive to said override control, that prevents said reporting device from reporting said information indicative of said determined position.

11
58

A method of operating a cellular telephone, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station;

EL

responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station;

wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning;

wherein said second mode of operation prevents said position module from detecting the position via satellite positioning; and

wherein said second mode of operation interferes with operation of satellite positioning circuitry via jamming.

12
60

A method, comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

E7
Conced

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location; and

wherein said action by said user comprises attaching an external blocking device to said cellular phone.

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested. The indication that claims 4-7, 10, 11 and 17 are allowed and that claims 18,23, 29, 53 and 60 would be allowable if resubmitted, is appreciatively noted. All of these claims are retained, and all other claims are cancelled in favor of a continuation application. Since all currently-pending claims are indicated as allowable, this should obviate all issues remaining in the case.

Therefore, in view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

16

E

ATTORNEY'S DOCKET NO.: GPS-PRIVACY/SCH

If there are any other charges, or any credits, please apply them to Deposit

Account No. 50-1387.

Respectfully submitted,

Date: 5/9/02

Scott C. Harris

Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
--------------------	-------------	-----------------------	---------------------

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

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 and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the amendment filed 5-9-02.

☒ The allowed claim(s) is/are 4-7, 10, 11, 17, 18, 23, 29, 53, 60.

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☒ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

PTOL-37 (Rev. 8/97)

*U.S. GPO:1998/444-443

09/69000.1

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

23844 7590 05/29/2002
SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

EXAMINER	
BLUM, THEODORE M	
ART UNIT	CLASS-SUBCLASS
3662	342-357090

DATE MAILED: 05/29/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

TITLE OF INVENTION: POSITION PRIVACY IN AN ELECTRONIC DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$640	\$0	\$640	08/29/2002

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 REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or
B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
- ☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE
Commissioner for Patents
Washington, D.C. 20231
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 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: Legibly mark-up with any corrections or use Block 1)
23844 7590 05/29/2002

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192

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.

Certificate of Mailing or Transmission
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 Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

TITLE OF INVENTION: POSITION PRIVACY IN AN ELECTRONIC DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$640	\$0	\$640	08/29/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
BLUM, THEODORE M	3662	342-357090

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) 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. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. 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. The following fee(s) are enclosed: ☐ Issue Fee ☐ Publication Fee ☐ Advance Order - # of Copies _____	4b. Payment of Fee(s): ☐ A check in the amount of the fee(s) is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).
--	--

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)	(Date)
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. This collection of information 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 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, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. 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.	

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973
23844	7590	05/29/2002	EXAMINER	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			BLUM, THEODORE M	
			ART UNIT	PAPER NUMBER

3662

DATE MAILED: 05/29/2002

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

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) system. (<http://pair.uspto.gov>)



Attorney's Docket No.: GPS-PRIVACY/SCH

JL
B/A
H
AK
P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott C. Harris
Serial No: 09/690,001
Filed : October 16, 2000
Title : POSITION PRIVACY IN AN ELECTRONIC DEVICE

Art Unit : 3662
Examiner : T. M. Blum
Class-Subclass.: 342-357000

BOX ISSUE FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Mailing Date of Notice of Allowance: May 29, 2002

RESPONSE TO NOTICE OF ALLOWANCE

In response to the Notice of Allowance mailed May 29, 2002, enclosed are a completed issue fee transmittal form PTOL-85b, two sheets of formal drawings and a check for \$670 for the required fee, including patent copies.

Please apply any charges or credits to our Deposit Account No. 50-1387.

Respectfully submitted,

Date: 8/27/02

Scott C. Harris
Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
(619) 823-7778
(877) 690-9836

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

8-27-02
Date of Deposit

Lawrence
Signature
Lawrence
Typed or Printed Name of Person Signing Certificate

05.02



6473031

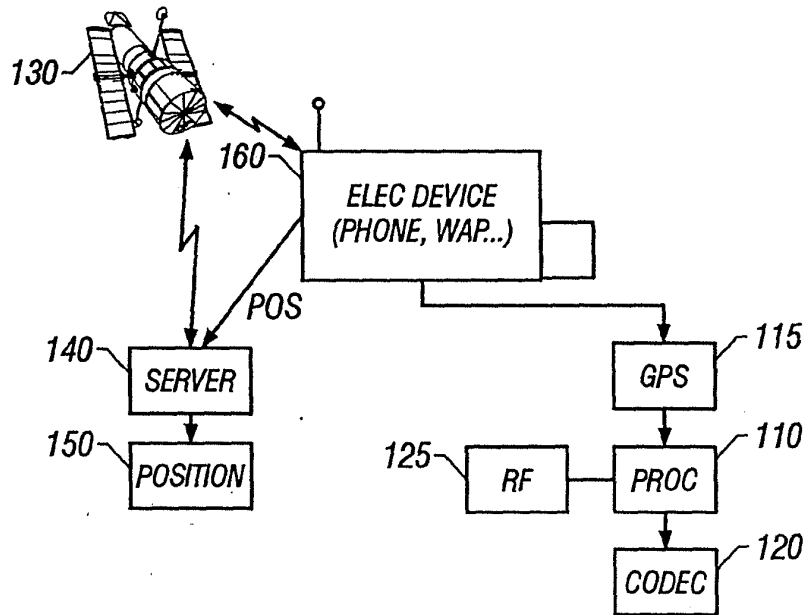


FIG. 1

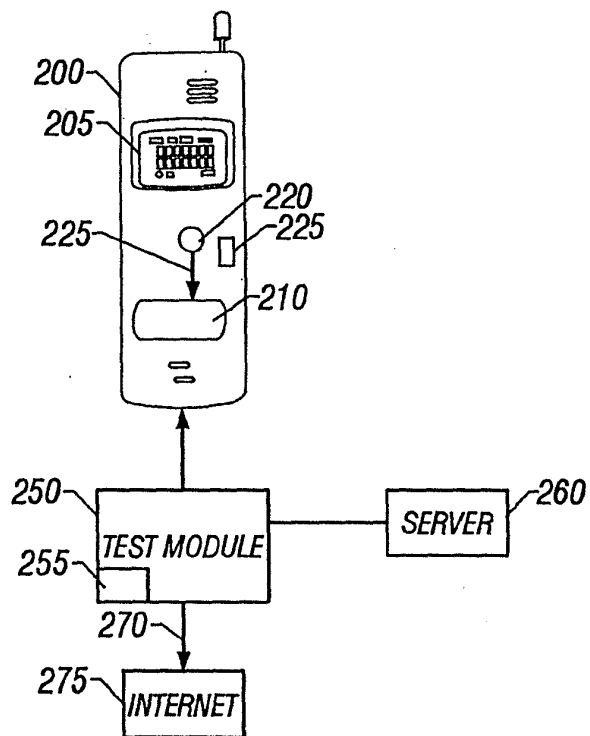


FIG. 2

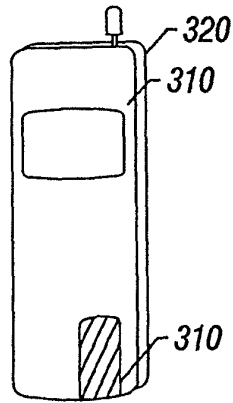


FIG. 3A

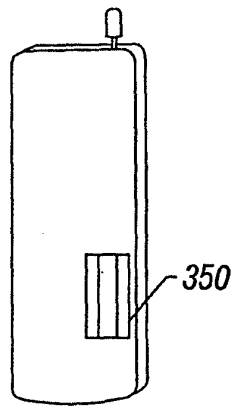


FIG. 3B

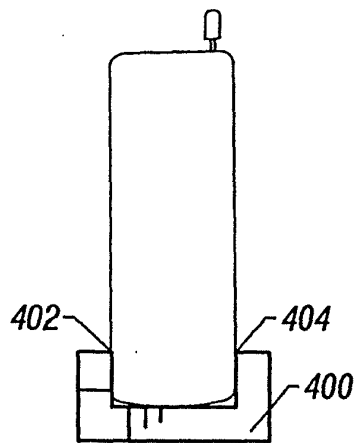


FIG. 4

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Box ISSUE FEE**
Commissioner for Patents
Washington, D.C. 20231
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 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: Legibly mark-up with any corrections or use Block 1)

23844 7590 05/29/2002

SCOTT C HARRIS
P O BOX 927649
SAN DIEGO, CA 92192



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.

Certificate of Mailing or Transmission
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 Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Scott C. Harris (Depositor's name)
Scott C. Harris (Signature)
05/29/02 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH	2973

TITLE OF INVENTION: POSITION PRIVACY IN AN ELECTRONIC DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$640	\$0	\$640	08/29/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
BLUM, THEODORE M	3662	342-357090

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) 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. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. 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. The following fee(s) are enclosed:

- ☒ Issue Fee
☐ Publication Fee
☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1387 (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information 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 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, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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.

09/11/2002 CCHAU2 00000168 09690001

01 FC:242
02 FC:561

640.00 OP
30.00 OP

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (REV. 04-02) Approved for use through 01/31/2004. OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

From: Stolowitz & Cowger, LLP To: 15712738300 Page: 1

Date: 4/26/2011 2:21:25 PM

22

FAX
TRANSMISSION

RECEIVED
CENTRAL FAX CENTER

APR 26 2011

To: 15712738300

From: Heather Kulin

ATTN: Commissioner for Patents re 09/690,001 (7398-0002)

Message: Please record the attached Power of Attorney at your earliest convenience.

Heather Kulin
Legal Assistant

STOLOWITZ FORD COWGER LLP
American Bank Building Suite 600
621 SW Morrison Street
Portland, OR 97205
e. heather@stofoco.com
o. 503.224.2170 ext 215
f. 503.224.2084

CONFIDENTIAL AND ATTORNEY-CLIENT PRIVILEGED



Stolowitz Ford Cowger, LLP
621 SW Morrison, Suite 600, Portland, OR 97205
Tel: 503-224-2170 Fax: 503-224-2084
Website: www.stofoco.com

CONFIDENTIAL AND PRIVILEGED INFORMATION

This facsimile transmission contains confidential attorney/client privileged information and is for use by the intended recipient only. Distribution or any other use of this transmission by anyone other than the intended recipient is prohibited. If you receive this transmission in error, please notify the sender immediately.

COMPLETED

RECEIVED
CENTRAL FAX CENTER

APR 26 2011

PATENT APPLICATION
Docket No. 7398-0002

STATEMENT UNDER 37 CFR 3.73 (b)

Application No.: 09/690,001 Patent No.: 6,473,031
Filing Date: 10/16/2000 Issue Date: 10/29/2002
Title: POSITION PRIVACY IN AN ELECTRONIC DEVICE
Date: April 25, 2011

COMMISSIONER FOR PATENTS
VIA FAX 571-273-8300

TOTAL PAGES (including this cover sheet): 4

Attached are:

- ☒ Power of Attorney to Prosecute Applications Before the PTO
- ☒ Declaration Regarding Authority to Sign on Behalf of a Legal Entity
- ☒ Statement Under 37 CFR 3.73b

Respectfully submitted,

STOLLOWITZ FORD COWGER LLP

/Stephen S. Ford/
STEPHEN S. FORD
Reg. No. 35,139

STOLLOWITZ FORD COWGER LLP
621 SW Morrison Street, Suite 600
Portland, Oregon 97205
Customer No. 73552

PTO/SB/80 (01-06)
Approved for use through 12/31/2008. OMB 0651-0036
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.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number: 73552

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number: 11788

OR

☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Email

Assignee Name and Address: Platt Technology Investments LLC
160 Greentree Drive, Suite 101
Dover, DE 19904

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature	<i>Dottie Smith</i>	Date	4-21-2011
Name	Dottie Smith	Telephone	
Title	Authorized Person for Platt Technology Investments LLC		

This collection of information is required by 37 CFR 1.31, 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.

From: Stolowitz . Cowger, LLP To: 15712738300 Page: Date: 4/26/2011 2:21:26 PM

DECLARATION REGARDING AUTHORITY TO SIGN ON BEHALF OF A LEGAL ENTITY
(37 C.F.R. 3.73(b)(2)(I))

I, Dottie Smith (whose title is supplied below), hereby declare that I am authorized to sign on behalf of Platt Technology Investments LLC.

Dottie Smith
Dottie Smith
Authorized Person for Platt Technology Investments LLC

4.21.2011
Date

RECEIVED
CENTRAL FAX CENTER

APR 26 2011

PATENT APPLICATION
Docket No. 7398-0002

STATEMENT UNDER 37 CFR 3.73 (b)

Application No.: 09/690,001 Patent No.: 6,473,031
Filing Date: 10/16/2000 Issue Date: 10/29/2002
Title: POSITION PRIVACY IN AN ELECTRONIC DEVICE

PLATT TECHNOLOGY INVESTMENTS LLC, whose principal place of business is located at 160 Greentree Drive, Suite 101, Dover, DE 19904, states that it is:

1. ☒ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest
The extent (by percentage) of its ownership is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventor To: Virginia Innovative Technology, LLC.
The document was recorded in the Patent and Trademark Office at
Reel 019658, Frame 0962. Corrective Assignments at
Reel 024776, Frame 0212 and Reel 026026, Frame 0268.
2. From: Virginia Innovative Technology, LLC To: Platt Technology Investments LLC.
The document was recorded in the Patent and Trademark Office at
Reel 026128, Frame 0396.

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: April 25, 2011

Signature /Stephen S. Ford/
STEPHEN S. FORD
Reg. No. 35,139
Attorney for Assignee



US006473031B1

(12) **United States Patent**
Harris

(10) **Patent No.:** **US 6,473,031 B1**
(45) **Date of Patent:** **Oct. 29, 2002**

(54) **POSITION PRIVACY IN AN ELECTRONIC DEVICE**

(76) Inventor: **Scott C. Harris**, P.O. Box 927649, San Diego, CA (US) 92192

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/690,001**

(22) Filed: **Oct. 16, 2000**

(51) Int. Cl.⁷ **G01S 5/02; H04B 7/185**

(52) U.S. Cl. **342/357.09; 342/357.1; 701/215; 455/456**

(58) Field of Search **342/357.09, 357.1; 701/215; 455/456**

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,222,245 A 6/1993 Ando et al.

5,301,368 A * 4/1994 Hirata 455/78
5,731,785 A 3/1998 Lemelson et al.
5,751,373 A * 5/1998 Ohyama et al. 348/569
5,940,753 A 8/1999 Mallinckrodt
6,049,718 A * 4/2000 Stewart 455/456
6,069,570 A * 5/2000 Herring 340/825.49
6,085,090 A * 7/2000 Yee et al. 455/440
6,107,960 A * 8/2000 Krasner 342/357.09
6,222,484 B1 * 4/2001 Seiple et al. 342/357.09

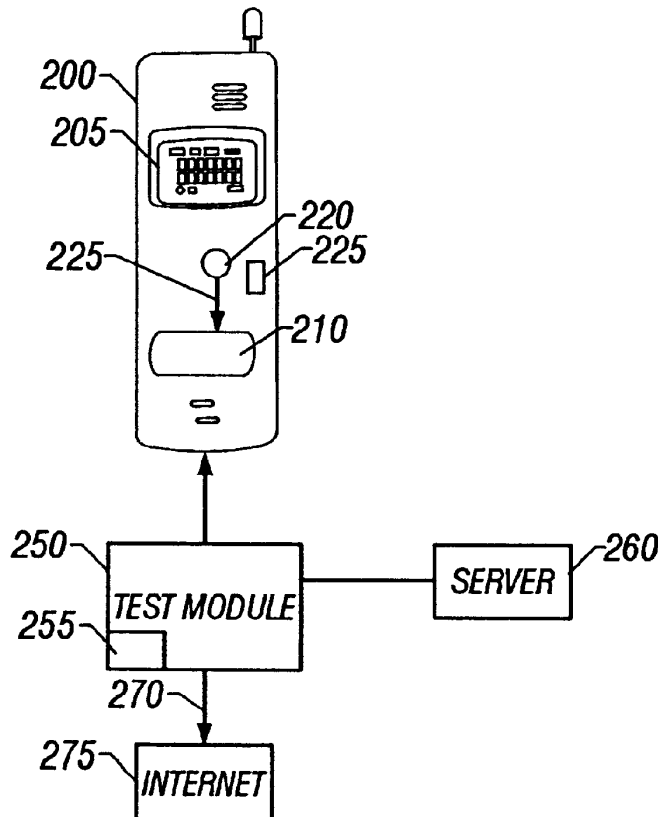
* cited by examiner

Primary Examiner—Theodore M. Blum

(57) **ABSTRACT**

A privacy enhancement device for electronic device such as a cellular telephone. In one mode, the cellular telephone operates in its normal mode, whereby its position can be detected by either wap techniques or by GPS techniques. In a second mode of operation, the wap/GPS operation is overridden, so that the position cannot be detected.

12 Claims, 2 Drawing Sheets



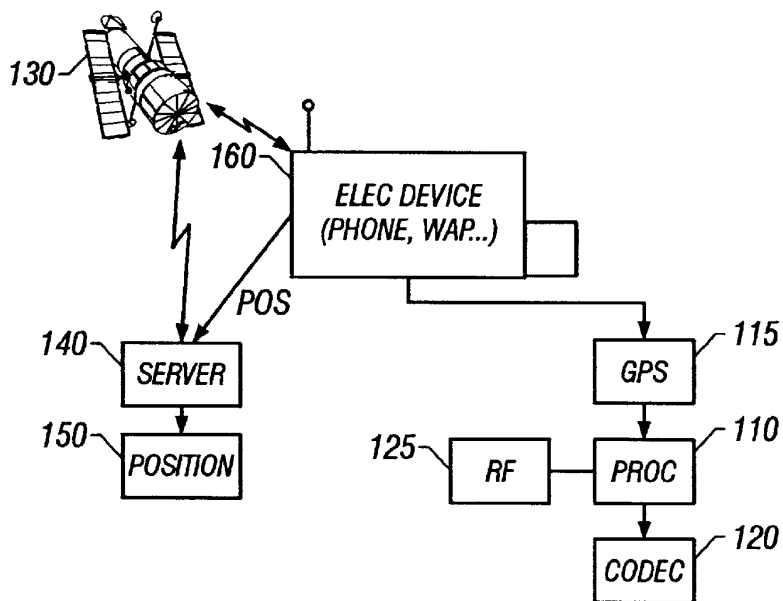


FIG. 1

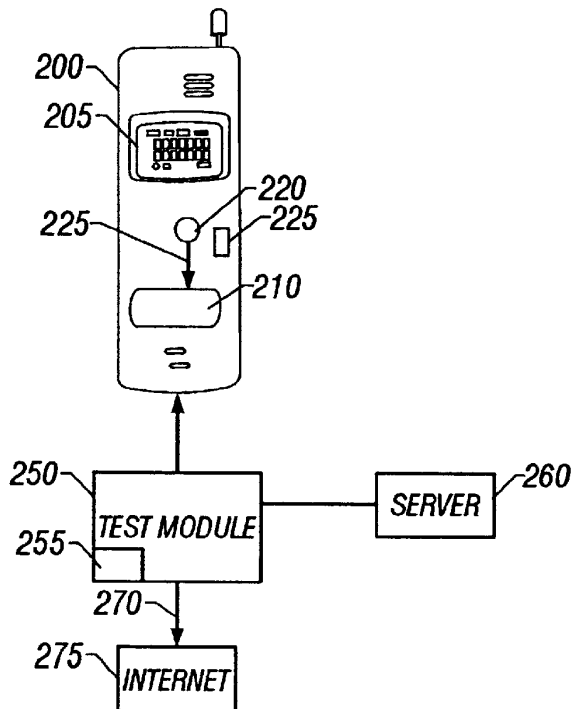


FIG. 2

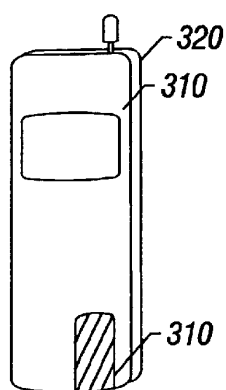


FIG. 3A

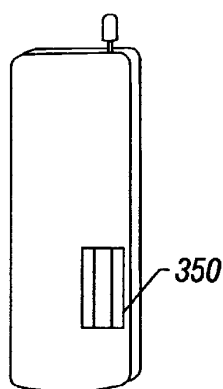


FIG. 3B

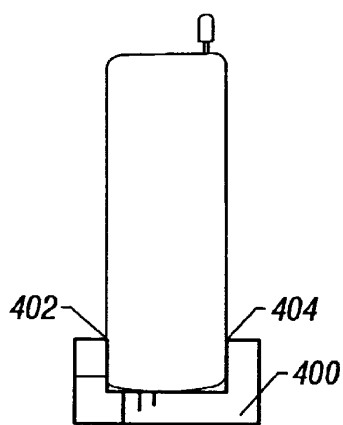


FIG. 4

1

POSITION PRIVACY IN AN ELECTRONIC DEVICE

BACKGROUND

The present invention defines a system for enhancing a privacy in enhancement in an electronic device with automatic position location detection.

Modern electronic devices often include automatic position location detection technology. For example, the modern cellular phone may include a satellite positioning system such as a GPS device. Other cellular phones, referred to as WAP phones, also automatically keep track of the users position.

FIG. 1 shows an electronic device, which can be a wap phone, regular cellular phone, or any other electronic device 100. The device is shown with electronic circuitry including electronic processor 110 which processes signals from both GPS device 115, and from a codec 120. The processor also controls an RF device 125.

The electronic device automatically determines its position. In this embodiment, it does so by communicating with a constellation of global position detecting satellites 130, for automatic determination of position. The electronic device may also communicate with the server 140, such as to a base station. The electronic device may communicate its determined position to the server. This may be done, for example, for emergency purposes. In the case of a WAP device, this may be done simply to monitor the position of the cellular phone. The server may output the position, shown as 150.

SUMMARY

The present application defines a device which enhances privacy in such a system. Specifically, the present application teaches a device which selectively prevents the electronic device from transmitting its position. This hence allows selection of an enhanced privacy mode.

BRIEF DESCRIPTION OF THE DRAWINGS

These and other aspects of the invention will be described in detail with reference to the accompanying drawings, wherein:

FIG. 1 shows are block diagram of an electronic device with a built-in automatic position location detection system;

FIG. 2 shows a first embodiment of a privacy enhancing device for an electronic element;

FIGS. 3A and 3B show a passive version of the privacy enhancing device using an RF blocking technique; and

FIG. 4 shows an active jammer device which actively produces a signal to prevent the reporting of position.

DETAILED DESCRIPTION

The first embodiment is shown in FIG. 2. In this embodiment, the electronic device is a portable telephone such as a cellular phone. However, it should be understood that other electronic devices, such as computers, personal digital assistants, or any other device which is capable of communicating in any way, may use similar techniques to those disclosed herein.

A portable phone 200 has a normal user interface 205, and other structure such as display, etc. The device also includes a positioning device 210. In this embodiment, a position detection block control 220 is provided. This is an actuation mechanism, such as a button which can be pressed to deactivate the function of the positioning device 210. The

2

unit's normal position forms an enable signal 225 which enables the position detector 210, allowing the position detector to determine its position, and report that position to a remote source, such as a base station. When the button is in its override position, an indicator 225 is illuminated, indicating the privacy mode has been entered. In this privacy-enhanced state, the enable signal is removed, thereby preventing position detector 210 from reporting its position.

A concern, however, is that some users, either hackers or others with more aura of authority, may use this system in a way which determines position surreptitiously, e.g., even when the button is placed on override. For example, law-enforcement officials might use this system to keep track of someone without their knowledge. One way to do this might be to fake an emergency call or the like. Doing this, however, may have serious privacy implications.

If a manufacturer includes a "back door" into the system, that "back door" might be used to determine the position of a person, without their authority or knowledge.

A test module 250 can be used to test the degree of privacy associated with the electronic device. This test module is connectable to the server 260. It also runs a software layer 255 which can be updated via channel 270, e.g., over the Internet. The test module 250, in operation, communicates with a service over the internet. The service employs experts to research and store the latest and most up-to-date way of improperly obtaining position in such a system. This is available via update 270 from the Internet. This may be carried out as a subscription service, in a similar way to the operations currently done to update virus definitions. The Internet returns ways of hacking the position detection prevention, which can hence be used by the test module to evaluate the privacy provided by the actuation 220.

The test module sends a request for position location to the phone 200, using the best available techniques. The phone returns information, and this information is evaluated by the server 260. Server 260 returns an evaluation of the operation to the test module 250. This can provide a user with an indication of the level of privacy they have obtained.

Another embodiment is shown in FIGS. 3A and 3B. This embodiment may be most usable with a satellite positioning system in a telephone. In this kind of phone, both sets of electronics—the GPS and the codec—may use a common processor. However, a GPS system often requires a separate antenna shown as 300. The separate antenna may be very sensitive to reception. For example, while cellular telephones can often be used indoors, corresponding GPS devices may not be usable in the same situations. Moreover, each separate telephone type will have a GPS antenna 300 placed in a specified location. There are relatively few telephone types in common use, usually less than 50 types. This system finds, for each telephone type, where the GPS antenna will be placed. The device 350 is made of an RF absorbing or reflecting material such as metal. The device is also made in way which allows it to be temporarily attached to the telephone, e.g., by clipping on to the phone. For example, the device may fit on both sides of the telephone 310 and 320 and wrap around the telephone to cover areas adjacent the antenna on both of the surfaces. The cover 350 covers both sides of the antenna 300, and therefore prevents GPS operation while the cover is clamped into place. In this way, privacy can be effectively temporarily enhanced. FIGS. 3A and 3B show two different places where the shield could be attached; but it should be understood that the shield could be attached in many different places.

3

One of the stated uses of GPS in a portable phone is for use in an emergency. When the user dials 911, the GPS device allows the emergency authorities to determine the user's precise location. In order to allow this, the cover can be maintained in place during all operations other than emergencies. During emergencies, the cover can be removed. But once the cover is removed, the position of the electronic device can be automatically detected, as usual.

The system of FIGS. 3A and 3B may not work with certain phones. An alternative system is shown in FIG. 4. In this phone, an active jammer module 400 is provided. The jammer module either supplants or fools the system into obtaining false position information. For example, the jammer module may provide false satellite information, e.g., indicating a false satellite position.

Satellite positioning system information is often provided in broad spectrum noise. The jammer 400 may produce broad spectrum noise, which includes information indicative of three satellites, but which is transmitted at a sufficiently low power to be receivable only at a very short range. In the system of FIG. 4, the jammer can also be attached using attachment clips 404. The attachment can place the transmitter of the jammer in close proximity with the satellite positioning system antenna.

The jammer information can produce outputs that indicate a false location, for example. Similar operations can be carried out with WAP phones. In a WAP phone, for example, the system may override the carrier, or tell the carrier false information about where the phone is located. This may include providing false triangulation information into the system or the like.

Other modifications are possible and are within the disclosed invention.

What is claimed is:

1. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object; and
an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate.

wherein said override control includes a passive blocking element which is attached to a portion of said electronic device to block reception of information by said position detection module.

2. An apparatus as in claim 1, wherein said position detection module is a satellite positioning system module, and said passive blocking element is an element which blocks an antenna associated with said satellite positioning module from receiving said information.

3. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which includes an actuating mechanism and which, in response to actuating of said actuating mechanism produces a signal state that prevents said position detection module from reporting said information about its position until a deactuation of said actuating mechanism, but which allows other parts of said electronic device to operate; and

wherein said override control includes a jamming element which produces information that interferes with opera-

4

tion of said position detection module responsive to said actuating, and stops producing said information responsive to said deactuation.

4. An apparatus as in claim 3, wherein said information includes false information that provides false data to said position detection module.

5. An apparatus as in claim 3 wherein said jamming element is connected to receive electrical power from said electronic device.

6. An apparatus, comprising:

an electronic device having a position detection module therein which determines a position of said electronic device and reports information indicative of said position of said electronic device to a remote object;

an override control, which is actuated to prevent said position detection module from reporting said information about its position, but which allows other parts of said electronic device to operate; and

a privacy detection element, which tests whether said position detection module will report unauthorized information when requested;

wherein said privacy detection element includes an update function which updates said privacy detection element to allow it to use different techniques to determine said report of unauthorized information.

7. A method of operating an electronic device, comprising:

allowing, in a first mode of operation, automatic reporting of a position of said electronic device;

allowing a second mode of operation which prevents said automatic reporting of said position of said electronic device; and

wherein said second mode of operation comprises attaching a passive reception blocking device to said electronic device.

8. A method of operating an electronic device, comprising:

enabling a first mode of operation in which automatic reporting of a position of said electronic device is allowed; and

responsive to a manual actuation of an actuating mechanism, disabling said automatic reporting of said position of said electronic device and thereby preventing reporting of said position, wherein said second mode of operation comprises actively jamming a position detection operation.

9. A method comprising:

operating a cellular phone in a first mode in which its position can be automatically reported to a remote location;

responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location;

testing said cellular phone while operating in said second, privacy enhanced mode, to determine whether privacy is actually enhanced; and

updating a way that said cellular phone carries out said testing.

10. An apparatus, comprising:

a portable telephone, including:

(1) telephone electronics enabling telephone communication;

5

(2) a position detection module therein which enables determining a position of said portable telephone as a determined position; and
(3) a reporting device which reports information indicative of said determined position of said portable telephone to a remote object; and
a manually operable override control, associated with said portable telephone, operating in response to a manual operation, to prevent said reporting device from reporting any information indicative of the determined position, but allowing said telephone electronics to continue to operate; and
wherein said override control includes a jamming element which produces a jamming signal, responsive to said override control, that prevents said reporting device from reporting said information indicative of said determined position.
11. A method of operating a cellular telephone, comprising:
allowing, in a first mode of operation, automatic reporting of a position of said cellular telephone, and allowing communication between said cellular telephone and a cellular telephone base station;
responsive to a manual actuation, allowing a second mode of operation which prevents any automatic reporting of

6

said position of said cellular telephone, but which still allows communications between said cellular telephone and said cellular telephone base station;
wherein said automatic reporting in said first mode of operation comprises automatic detection of a position of said electronic device via satellite positioning;
wherein said second mode of operation prevents said position module from detecting the position via satellite positioning; and
wherein said second mode of operation interferes with operation of satellite positioning circuitry via jamming.
12. A method, comprising:
operating a cellular phone in a first mode in which its position can be automatically reported to a remote location; and
responsive to an action by a user of a specific type, operating said cellular phone in a second, privacy enhanced mode, in which cellular phone functions can be used to place and/or receive calls, but its position can not be automatically reported to said remote location; and
wherein said action by said user comprises attaching an external blocking device to said cellular phone.

* * * * *



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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/690,001	10/16/2000	Scott C. Harris	GPS PRIVACY/SCH

CONFIRMATION NO. 2973

POWER OF ATTORNEY NOTICE

23844

SCOTT C HARRIS

Law Office of Scott C Harris, Inc

P O BOX 1389

Rancho Santa Fe, CA 92067-1389



OC000000047442714

Date Mailed: 05/02/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/26/2011.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/deelliott/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/690,001	10/16/2000	Scott C. Harris	7398-0002

CONFIRMATION NO. 2973

POA ACCEPTANCE LETTER

11788
Stolowitz Ford Cowger LLP / ptomail
621 SW Morrison Street
Suite 600
Portland, OR 97205



Date Mailed: 05/02/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/26/2011.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/deelliott/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

10/16/00

7C9464 U.S. PTO

Please type a plus sign (+) inside this box →

10-17-00

PTO/SB/05 (12/97) (modified)

Approved for use through 09/30/00 OMB 0651-0032

Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Attorney Docket No.	GPS PRIVACY/SCH	Total Pages	21
---------------------	-----------------	-------------	----

First Named Inventor or Application Identifier

Scott C. Harris

Express Mail Label No. EM 327 460 750 US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EM 327 460 750 US Date of Deposit: October 16, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Christy

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- | | |
|--|--|
| <p>1. ☒ Fee Transmittal Form
 <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. ☒ Specification [Total Pages <input type="text" value="13"/>]
 <i>(including)</i></p> <ul style="list-style-type: none"> - Descriptive title of the Invention - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) (5 pgs) - Abstract of the Disclosure (1 pg) <p>3. ☒ Drawing(s) (35 USC 113) [Total Sheets <input type="text" value="3"/>]</p> <p>4. ☒ Oath or Declaration [Total Pages <input type="text" value="2"/>]</p> <ul style="list-style-type: none"> a. ☒ Newly executed (original or copy) b. ☐ Copy from a prior application (37 CFR 1.63(d)
 <i>(for continuation/divisional with Box 17 completed)</i>
 [Note Box 5 below] i. ☐ <u>DELETION OF INVENTOR(S)</u>
 Signed statement attached deleting inventor(s) named in
 the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) <p>5. ☐ Incorporation By Reference <i>(useable if Box 4b is checked)</i>
 The entire disclosure of the prior application, from which a copy of the
 oath or declaration is supplied under Box 4b, is considered as being
 part of the disclosure of the accompanying application and is hereby
 incorporated by reference therein.</p> | <p>6. ☐ Microfiche Computer Program <i>(Appendix)</i></p> <p>7. ☐ Nucleotide and/or Amino Acid Sequence Submission
 <i>(if applicable, all necessary)</i></p> <ul style="list-style-type: none"> a. Computer Readable Copy b. Paper Copy (identical to computer copy) c. Statement verifying identity of above copies |
|--|--|

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Att
(when there is an assignee)

10. ☐ English Translation Document *(if applicable)*

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

14. ☒ Small Entity ☐ Statement filed in prior appli
Statement(s) Status still proper and desire

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Petition to Make Special

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☒ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Petition to Make Special

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: *

18. CORRESPONDENCE ADDRESS

Customer No. 23844
Scott C. Harris
Registration No. 32,030
P.O. Box 927649
San Diego, CA 92192

Telephone: (619) 823-7778
Facsimile: (877) 690-9836

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	21 - 20 =	1	x \$9.00	\$9.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$40.00	\$0.00
MULTIPLE	DEPENDENT CLAIM(S) (if applicable)		+ \$260.00	\$0
			BASIC FEE	\$355.00
			TOTAL OF ABOVE CALCULATIONS =	\$364.00
Petition Fee for Petition to Make Special				\$130.00
Assignment Recording Fee (if enclosed)				\$0.00
			TOTAL =	\$494.00

- ☒ A check in the amount of \$494.00 is attached.
- ☐ Charge \$_____ to **Deposit Account No.**_____ referencing docket no. _____.

Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to **Deposit Account No. 50-1387** referencing docket no. _____. A duplicate copy of this transmittal is enclosed, for that purpose.

Dated:

Respectfully submitted,

By: Scott C. Harris
 Scott C. Harris
 Registration No. 32,030

Customer No. 23844
 Scott C. Harris
 P.O. Box 927649
 San Diego, CA 92192
 Telephone: (619) 823-7778
 Facsimile: (877) 690-9836

Applicant or Patentee: Scott C. Harris
 Serial or Patent No.:
 Filed or Issued: Herewith
 For: POSITION PRIVACY IN AN ELECTRONIC DEVICE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled described in

- ☒ the specification filed herewith.
☐ application serial no. , filed .
☐ patent no. , issued .

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization.
☐ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made 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 so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Scott C. Harris

Signature: _____

Date: _____

10/16/00

APPLICATION
FOR
UNITED STATES LETTERS PATENT

TITLE: POSITION PRIVACY IN AN ELECTRONIC DEVICE
APPLICANT: SCOTT C. HARRIS

09690001-101600

CERTIFICATE OF MAILING BY EXPRESS MAIL

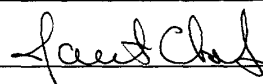
Express Mail Label No. EM327 460 750 US

This correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

October 16, 2000

Date of Deposit

Signature



Janet Christy

Typed or Printed Name of Person Signing Certificate

POSITION PRIVACY IN AN ELECTRONIC DEVICE

Background

The present invention defines a system for enhancing a
5 privacy in enhancement in an electronic device with automatic
position location detection.

Modern electronic devices often include automatic position
location detection technology. For example, the modern cellular
phone may include a satellite positioning system such as a GPS
10 device. Other cellular phones, referred to as a WAP phones, also
automatically keep track of the users position.

Figure 1 shows an electronic device, which can be a wap
phone, regular cellular phone, or any other electronic device
100. The device is shown with electronic circuitry including
15 electronic processor 110 which processes signals from both GPS
device 115, and from a codec 120. The processor also controls an
RF device 125.

The electronic device automatically determines its position.
In this embodiment, it does so by communicating with a
20 constellation of global position detecting satellites 130, for
automatic determination of position. The electronic device may
also communicate with the server 140, such as to a base station.

The electronic device may communicate its determined position to the server. This may be done, for example, for emergency purposes. In the case of a WAP device, this may be done simply to monitor the position of the cellular phone. The server may
5 output the position, shown as 150.

Summary

The present application defines a device which enhances privacy in such a system. Specifically, the present application
10 teaches a device which selectively prevents the electronic device from transmitting its position. This hence allows selection of an enhanced privacy mode.

Brief Description of the Drawings

These and other aspects of the invention will be described
15 in detail with reference to the accompanying drawings, wherein:

Figure 1 shows are block diagram of an electronic device with a built-in automatic position location detection system;

Figure 2 shows a first embodiment of a privacy enhancing
20 device for an electronic element;

Figures 3A and 3B show a passive version of the privacy enhancing device using an RF blocking technique; and

Figure 4 shows an active jammer device which actively produces a signal to prevent the reporting of position.

Detailed Description

5 The first embodiment is shown in Figure 2. In this embodiment, the electronic device is a portable telephone such as a cellular phone. However, it should be understood that other electronic devices, such as computers, personal digital assistants, or any other device which is capable of communicating in any way, may use similar techniques to those disclosed herein.

10 A portable phone 200 has a normal user interface 205, and other structure such as display, etc. The device also includes a positioning device 210. In this embodiment, a position detection block control 220 is provided. This is an actuation mechanism, such as a button which can be pressed to deactivate the function of the positioning device 210. The unit's normal position forms an enable signal 225 which enables the position detector 210, allowing the position detector to determine its position, and report that position to a remote source, such as a base station.

15 When the button is in its override position, an indicator 225 is illuminated, indicating the privacy mode has been entered. In this privacy-enhanced state, the enable signal is removed,

thereby preventing position detector 210 from reporting its position.

09650001.101600
A concern, however, is that some users, either hackers or others with more aura of authority, may use this system in a way which determines position surreptitiously, e.g., even when the button is placed on override. For example, law-enforcement officials might use this system to keep track of someone without their knowledge. One way to do this might be to fake an emergency call or the like. Doing this, however, may have serious privacy implications.

If a manufacturer includes a "back door" into the system, that "back door" might be used to determine the position of a person, without their authority or knowledge.

15 A test module 250 can be used to test the degree of privacy associated with the electronic device. This test module is connectable to the server 260. It also runs a software layer 255 which can be updated via channel 270, e.g., over the Internet. The test module 250, in operation, communicates with a service over the internet. The service employs experts to research and store the latest and most up-to-date way of improperly obtaining position in such a system. This is available via update 270 from the Internet. This may be carried out as a subscription service,

in a similar way to the operations currently done to update virus definitions. The Internet returns ways of hacking the position detection prevention, which can hence be used by the test module to evaluate the privacy provided by the actuation 220.

5 The test module sends a request for position location to the phone 200, using the best available techniques. The phone returns information, and this information is evaluated by the server 260. Server 260 returns an evaluation of the operation to the test module 250. This can provide a user with an indication
10 of the level of privacy they have obtained.

Another embodiment is shown in Figures 3A and 3B. This embodiment may be most usable with a satellite positioning system in a telephone. In this kind of phone, both sets of electronics -- the GPS and the codec -- may use a common processor.
15 However, a GPS system often requires a separate antenna shown as 300. The separate antenna may be very sensitive to reception. For example, while cellular telephones can often be used indoors, corresponding GPS devices may not be usable in the same situations. Moreover, each separate telephone type will have a
20 GPS antenna 300 placed in a specified location. There are relatively few telephone types in common use, usually less than 50 types. This system finds, for each telephone type, where the

GPS antenna will be placed. The device 350 is made of an RF absorbing or reflecting material such as metal. The device is also made in way which allows it to be temporarily attached to the telephone, e.g., by clipping on to the phone. For example,
5 the device may fit on both sides of the telephone 310 and 320 and wrap around the telephone to cover areas adjacent the antenna on both of the surfaces. The cover 350 covers both sides of the antenna 300, and therefore prevents GPS operation while the cover is clamped into place. In this way, privacy can be effectively temporarily enhanced. Figures 3A and 3B show two different
10 places where the shield could be attached; but it should be understood that the shield could be attached in many different places.

One of the stated uses of GPS in a portable phone is for use
15 in an emergency. When the user dials 911, the GPS device allows the emergency authorities to determine the user's precise location. In order to allow this, the cover can be maintained in place during all operations other than emergencies. During emergencies, the cover can be removed. But once the cover is
20 removed, the position of the electronic device can be automatically detected, as usual.

The system of figures 3A and 3B may not work with certain

phones. An alternative system is shown in figure 4. In this
phone, an active jammer module 400 is provided. The jammer
module either supplants or fools the system into obtaining false
position information. For example, the jammer module may provide
5 false satellite information, e.g., indicating a false satellite
position.

Satellite positioning system information is often provided
in broad spectrum noise. The jammer 400 may produce broad
spectrum noise, which includes information indicative of three
10 satellites, but which is transmitted at a sufficiently low power
to be receivable only at a very short range. In the system of
figure 4, the jammer can also be attached using attachment clips
404. The attachment can place the transmitter of the jammer in
close proximity with the satellite positioning system antenna.

15 The jammer information can produce outputs that indicate a
false location, for example. Similar operations can be carried
out with WAP phones. In a WAP phone, for example, the system may
override the carrier, or tell the carrier false information about
where the phone is located. This may include providing false
20 triangulation information into the system or the like.

Other modifications are possible and are within the
disclosed invention.

What is claimed is:

1 1. An apparatus, comprising:
2 an electronic device having a position detection module
3 therein which determines a position of said electronic device and
4 reports information indicative of said position of said
5 electronic device to a remote object; and

6 an override control, which is actuated to prevent said
7 position detection module from reporting said information about
8 its position, but which allows other parts of said electronic
9 device to operate.

1 2. An apparatus as in claim 1, wherein said actuating said
2 override control prevents said position detection module from
3 determining its position.

1 3. An apparatus as in claim 2, wherein said actuating said
2 override control allows said position detection module to
3 operate, but prevents said position detection module from
4 reporting said information.

1 4. An apparatus as in claim 1 wherein said override
2 control is a passive blocking element which is clipped to a
3 portion of said electronic device to blocks reception of
4 information by said position detection module.

1 5. An apparatus as in claim 4, wherein said position
2 detection module is a satellite positioning system module, and
3 said passive blocking element is an element which blocks an
4 antenna associated with said satellite positioning module from
5 receiving said information.

1 6. An apparatus as in claim 1 wherein said override
2 control is a jamming element and which produces information that
3 interferes with operation of said position detection module.

1 7. An apparatus as in claim 6, wherein said information is
2 false information that provides false data to said position
3 detection module.

1 8. An apparatus as in claim 1 wherein said override
2 control is a button which commands circuitry in said telephone to
3 stop certain operations.

1 9. An apparatus as in claim 1, further comprising a
2 privacy detection element, which tests whether said position
3 detection module will report unauthorized information when
4 requested.

1 10. An apparatus as in claim 9 wherein said privacy
2 detection element includes an update function which updates said
3 privacy detection element to allow it to use different techniques
4 to determine said report of unauthorized information.

1 11. An apparatus as in claim 6 wherein said jamming element
2 is connected to receive electrical power from said electronic
3 device.

1 12. An apparatus as in claim 1 wherein said electronic
2 device is a portable telephone.

1 13. A method of operating an electronic device, comprising:
2 allowing, in a first mode of operation, automatic reporting
3 of a position of said electronic device; and
4 allowing a second mode of operation which prevents said
5 automatic reporting of said position of said electronic device.

1 14. A method as in claim 13 wherein said automatic
2 detection comprises detection via satellite positioning.

1 15. A method as in claim 13 wherein said wherein said
2 electronic device is a portable phone, and said automatic
3 detection comprises detection via WAP techniques.

1 16. A method as in claim 13, wherein said second mode of
2 operation comprises an operation which is selected via an
3 actuation mechanism.

1 17. A method as in claim 13 wherein said second mode of
2 operation comprises attaching a passive reception blocking device
3 to said electronic device.

1 18. A method as in claim 13 wherein said second mode of
2 operation comprises actively jamming a position detection
3 operation.

1 19. A method as in claims 13, further comprising providing
2 a device which tests whether said automatic reporting is
3 operating.

Abstract

A privacy enhancement device for electronic device such as a cellular telephone. In one mode, the cellular telephone operates in its normal mode, whereby its position can be detected by
5 either wap techniques or by GPS techniques. In a second mode of operation, the wap/GPS operation is overridden, so that the position cannot be detected.

009707-1006960

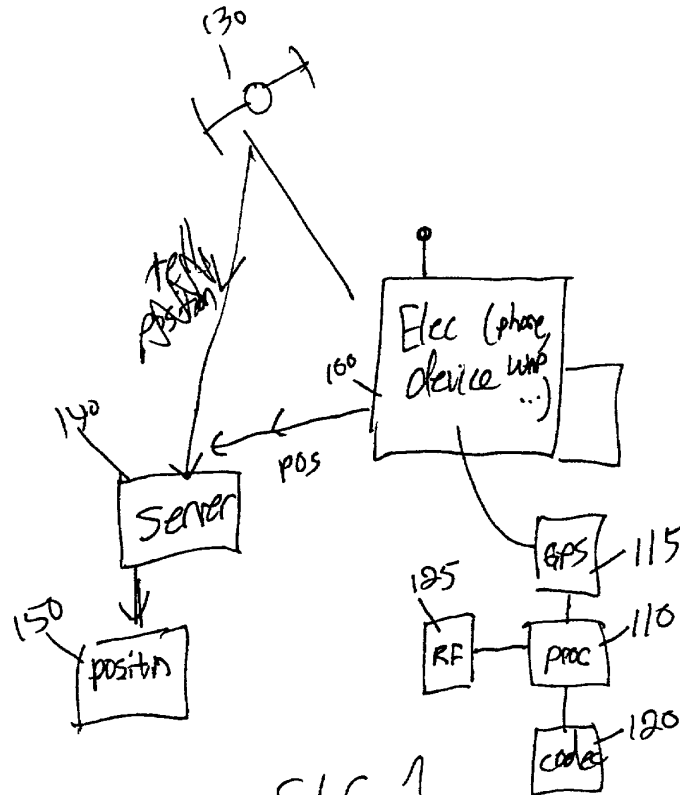
[illegible]

FIG 1

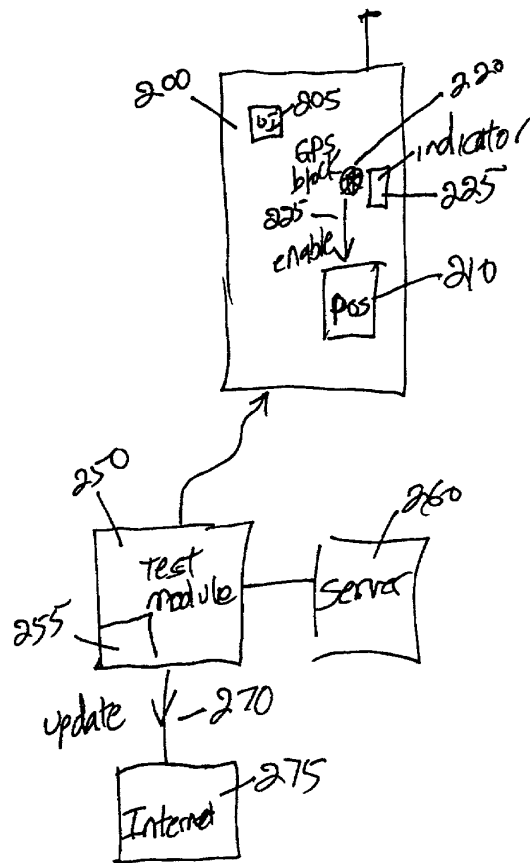


FIG 2

FIG
3A

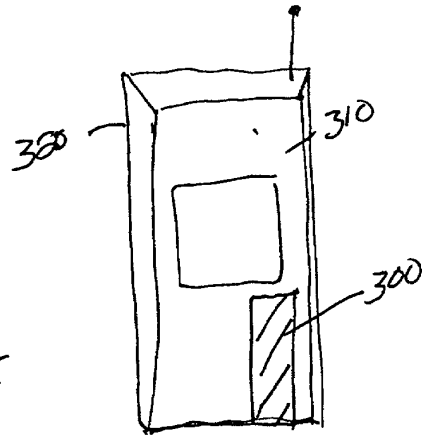


FIG
3B

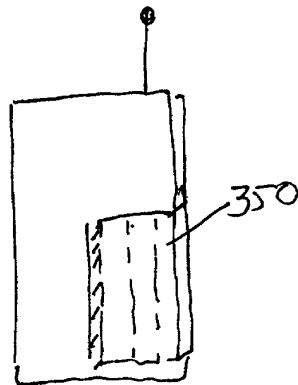
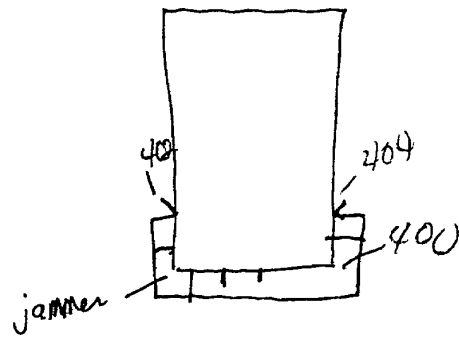


FIG
4



COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled POSITION PRIVACY IN AN ELECTRONIC DEVICE, the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____ and was amended on _____.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
			☐ Yes ☐ No
			☐ Yes ☐ No

Page 2 of 2 Pages

Address all correspondence to SCOTT C. HARRIS at:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made 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 so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Inventor's Signature: Scott C Harris Date: 10/16/00
3329 Cerros Redondos, Rancho Santa Fe, CA 92067

Citizenship: USA

Post Office Address: P.O. Box 927649, San Diego, CA 92192

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2001

Application or Docket Number

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20=	*
INDEPENDENT CLAIMS	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT ☐		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 11	Minus ** 57	= -
Independent	* 8	Minus *** 13	= -
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐			

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐			

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐			

* 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 number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	370.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	740.00
X\$18=	
X84=	
+280=	
TOTAL	

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

Application or Docket Number

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	19 minus 20= *	$\emptyset$
INDEPENDENT CLAIMS	3 minus 3= *	$\emptyset$
MULTIPLE DEPENDENT CLAIM PRESENT ☐		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	23	Minus	** 20	= 3
Independent	*	7	Minus	*** 3	= 4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐					

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	18	Minus	** 23	= 7
Independent	*	8	Minus	*** 7	= 1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐					

(Column 1) (Column 2) (Column 3)

AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	57	Minus	** 23	= 34
Independent	*	13	Minus	*** 8	= 5
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐					

* 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 number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	355.00
X\$ 9=	
X40=	
+135=	
TOTAL	355

RATE	FEE
BASIC FEE	710.00
X\$18=	
X80=	
+270=	
TOTAL	

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	18
X80=	160
+270=	
TOTAL ADDIT. FEE	178

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	40.00
+135=	
TOTAL ADDIT. FEE	40.00

RATE	ADDITIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	297
X80=	210
+270=	
TOTAL ADDIT. FEE	507

POSITION	INITIALS	ID NO.	DATE
FEE DETERMINATION			
O.I.P.E. CLASSIFIER		5	10-27-00
FORMALITY REVIEW	M.H.	025	11-24-00

INDEX OF CLAIMS

- ✓

.....

Rejected
- =

.....

Allowed
-

(Through numeral) Canceled
- ÷

.....

Restricted
- N

.....

Non-elected
- I

.....

Interference
- A

.....

Appeal
- O

.....

Objected

Claim		Date				
Final	Original	1	4	7	12	5
		10	10	23	19	28
		01	01	01	01	02
1	40	=	=	=	=	=
2	50	=	=	=	=	=
3	60	✓	✓	✓	✓	✓
4	70	✓	✓	✓	✓	✓
6	100	=	=	=	=	=
5	11	✓	✓	✓	✓	✓
7	120	=	=	=	=	=
8	130	✓	✓	✓	✓	✓
9	20	00	=	=	=	=
10	29	=	=	=	=	=

Claim		Date				
Final	Original	1	4	7	12	5
		10	10	23	19	28
		01	01	01	01	02
11	30	=	=	=	=	=
12	60	=	=	=	=	=
63						
64						
65						
66						
67						
68						
69						
70						
71						
72						
73						
74						
75						
76						
77						
78						
79						
80						
81						
82						
83						
84						
85						
86						
87						
88						
89						
90						
91						
92						
93						
94						
95						
96						
97						
98						
99						
100						

Claim		Date				
Final	Original	1	4	7	12	5
		10	10	23	19	28
		01	01	01	01	02
101						
102						
103						
104						
105						
106						
107						
108						
109						
110						
111						
112						
113						
114						
115						
116						
117						
118						
119						
120						
121						
122						
123						
124						
125						
126						
127						
128						
129						
130						
131						
132						
133						
134						
135						
136						
137						
138						
139						
140						
141						
142						
143						
144						
145						
146						
147						
148						
149						
150						

If more than 150 claims or 10 actions
staple additional sheet here

(LEFT INSIDE)