

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Texas on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 4:22-cv-840	DATE FILED 9/30/2022	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF STA GROUP LLC		DEFENDANT MOTOROLA SOLUTIONS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,324,802	1/29/2008	STA GROUP LLC
2 8,489,134	7/16/2013	STA GROUP LLC
3 8,994,830	3/31/2015	STA GROUP LLC
4 8,831,664	9/9/2014	STA GROUP LLC
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Eastern District of Texas on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:22-cv-381	DATE FILED 9/30/2022	U.S. DISTRICT COURT Eastern District of Texas
PLAINTIFF STA GROUP LLC		DEFENDANT MOTOROLA SOLUTIONS, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,324,802	1/29/2008	STA GROUP LLC
2 8,489,134	7/16/2013	STA GROUP LLC
3 8,994,830	3/31/2015	STA GROUP LLC
4 8,831,664	9/9/2014	STA GROUP LLC
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy



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
11/039,569	01/20/2005	Cullen Jennings	100101-004800US

CONFIRMATION NO. 9328

POA ACCEPTANCE LETTER

86421
Patent Capital Group - Cisco
6119 McCommas
Dallas, TX 75214



Date Mailed: 12/06/2010

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/24/2010.

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.

/snguyen/

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
11/039,569	01/20/2005	Cullen Jennings	100101-004800US

CONFIRMATION NO. 9328

POWER OF ATTORNEY NOTICE



37490
Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

Date Mailed: 12/06/2010

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/24/2010.

- 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).

/snguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

**POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY
WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS**

U.S. Patent No. 7,324,802

Issue Date: January 29, 2008

Application Serial No. 11,039,569

First Named Inventor: Cullen Jennings

File Date: January 20, 2005

Confirmation No.: 9328

Title: METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY
COMMUNICATION SYSTEM

Attorney Docket Number: 100101-004800US

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above and to transact all business in the United States Patent and Trademark Office connect therewith:

86421

Please recognize or change the correspondence address for the above-identified application to the address associated with Customer Number:

86421

I am the Assignee of record of the entire interest.

_____/Mallun Yen/
Signature of Applicant or Assignee of Record

_____/November 23, 2010

_____/Mallun Yen/
Printed or Typed Name

_____/ (214) 823-1241
Telephone Number

_____/Vice President, Cisco Technology, Inc.
Title

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Cisco Technology, Inc.

U.S. Patent No.: 7,324,802

Issue Date: January 29, 2008

Application Serial No.: 11/039,569

File Date: January 20, 2005

Entitled: METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY
COMMUNICATION SYSTEM

Cisco Technology, Inc. Assignee, a California corporation, states that it is the assignee of the entire right, title, and interest, by virtue of an Assignment recorded on January 20, 2005, in the United States Patent and Trademark Office at Reel 016202, Frame 0965.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Mallun Yen/
Signature of Applicant or Assignee of Record

November 23, 2010

Mallun Yen
Printed or Typed Name

(214) 823-1241
Telephone Number

Vice President, Cisco Technology, Inc.
Title

Electronic Acknowledgement Receipt	
EFS ID:	8908223
Application Number:	11039569
International Application Number:	
Confirmation Number:	9328
Title of Invention:	METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM
First Named Inventor/Applicant Name:	Cullen Jennings
Customer Number:	37490
Filer:	Thomas John Frame/Donna Roark
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	100101-004800US
Receipt Date:	24-NOV-2010
Filing Date:	20-JAN-2005
Time Stamp:	12:10:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	100101004800USPOA.pdf	265333 8a04f4c8982fbdeb223b31b6e621b7a3457864e4	no	2

Warnings:

Information:

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/039,569	01/29/2008	7324802	100101-004800US	9328

37490 7590 01/09/2008
Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 113 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Cullen Jennings, San Jose, CA;

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

37490 7590 09/10/2007

Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

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 Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Sherry Sutterfield	(Depositor's name)
/Sherry Sutterfield/	(Signature)
December 5, 2007	(Date)

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

11/039,569	01/20/2005	Cullen Jennings	100101-004800US	9328
------------	------------	-----------------	-----------------	------

TITLE OF INVENTION: METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
-------------	--------------	-----------	-----------------	------------------	----------

nonprovisional	NO	\$1400	\$300	\$1700	12/10/2007
----------------	----	--------	-------	--------	------------

EXAMINER	ART UNIT	CLASS-SUBCLASS
----------	----------	----------------

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Trellis Intellectual Property
- 2 Law Group, PC
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Cisco Technology, Inc.

San Jose, CA

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 (No small entity discount permitted)
- ☐ 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 Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 503000 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO 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.

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.

Authorized Signature /Brian N. Young/

Date December 5, 2007

Typed or printed name Brian N. Young

Registration No. 48.602

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, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Patent Application Fee Transmittal				
Application Number:		11039569		
Filing Date:		20-Jan-2005		
Title of Invention:		METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM		
First Named Inventor/Applicant Name:		Cullen Jennings		
Filer:		Brian Nathaniel Young/Sherry Sutterfield		
Attorney Docket Number:		100101-004800US		
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	1501	1	1440	1440
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1740

Electronic Acknowledgement Receipt	
EFS ID:	2549616
Application Number:	11039569
International Application Number:	
Confirmation Number:	9328
Title of Invention:	METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM
First Named Inventor/Applicant Name:	Cullen Jennings
Customer Number:	37490
Filer:	Brian Nathaniel Young
Filer Authorized By:	
Attorney Docket Number:	100101-004800US
Receipt Date:	05-DEC-2007
Filing Date:	20-JAN-2005
Time Stamp:	18:55:54
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1740
RAM confirmation Number	3604
Deposit Account	503000
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	2007-12-05-100101-004800 US-SeqNo10112-FeeTrans mittalPTOL85.pdf	97673 1f117352ab26e4fa619c4f5c8ed186508 ad4ac34	no	1

Warnings:

Information:

2	Fee Worksheet (PTO-06)	fee-info.pdf	8331 28e1bba60d0bc0d358328f9e6801e27 c3f2ba1b	no	2
---	------------------------	--------------	---	----	---

Warnings:

Information:

Total Files Size (in bytes):

106004

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

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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

NOTICE OF ALLOWANCE AND FEE(S) DUE

37490 7590 09/10/2007

Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

EXAMINER

HERRERA, DIEGO D

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 09/10/2007

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/039,569	01/20/2005	Cullen Jennings	100101-004800US	9328

TITLE OF INVENTION: METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	12/10/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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 the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

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 box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). 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. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop 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** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

37490 7590 09/10/2007

Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

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 Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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

11/039,569 01/20/2005 Cullen Jennings 100101-004800US 9328

TITLE OF INVENTION: METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
-------------	--------------	---------------	---------------------	----------------------	------------------	----------

nonprovisional NO \$1400 \$300 \$0 \$1700 12/10/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
----------	----------	----------------

HERRERA, DIEGO D 2617 455-404100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(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. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. 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 submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

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, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/039,569	01/20/2005	Cullen Jennings	100101-004800US	9328
37490	7590	09/10/2007		

Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

EXAMINER	
HERRERA, DIEGO D	
ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 09/10/2007

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 113 day(s). 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 Patent Term Adjustment will be 113 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	11/039,569	JENNINGS, CULLEN	
	Examiner	Art Unit	
	Diego Herrera	2617	

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/23/2007.
2. ☒ The allowed claim(s) is/are 1,3-22 renumbered 1-21 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. ☐ Notice of Informal Patent Application 6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. ☐ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other _____ |
|---|--|

DETAILED ACTION

Response to Amendment

Claims 1, 12-15, and 18-20 amendments are accepted.

Claim 22 is new.

Allowable Subject Matter

Claims 1, and 3-22 are allowed renumber to 1-21 respectively .

The following is an examiner's statement of reasons for allowance: references of Cheng, and Uchida cited in combination or alone do not teach the elements stated in the independent claims, furthermore, the limitations of messages received overlap in time are not in the cited references. In Cheng, emergency calls are received and stored in a waiting buffer. The user then disconnects and waits for the emergency call center to call back. Cheng does not disclose or suggest that these calls overlap; in Uchida discloses a radio paging receiver that stores messages into directories corresponding to paging numbers. The method of queuing calls and arranging the calls with priority parameters clearly is not defined in cited references. Therefore, the examiner consulted several areas of different classes relevant to the field of call waiting and communication centre; furthermore, consulted with primary examiner Lewis West in the field furthering prosecution.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2617

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Diego Herrera
Primary Examiner


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER

Index of Claims 	Application/Control No. 11039569	Applicant(s)/Patent Under Reexamination JENNINGS, CULLEN
	Examiner Herrera, Diego	Art Unit 2617

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

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

CLAIM		DATE								
Final	Original	07/24/2006	01/23/2007	08/29/2007						
1	1	✓	✓	✓						
	2	✓	✓	-						
2	3	✓	✓	✓						
3	4	✓	✓	✓						
4	5	✓	✓	✓						
5	6	✓	✓	✓						
6	7	✓	✓	✓						
7	8	✓	✓	✓						
8	9	✓	✓	✓						
9	10	✓	✓	✓						
10	11	✓	✓	✓						
11	12	✓	✓	✓						
12	13	✓	✓	✓						
13	14	✓	✓	✓						
14	15	✓	✓	✓						
15	16	✓	✓	✓						
16	17	✓	✓	✓						
17	18	✓	✓	✓						
18	19	✓	✓	✓						
19	20	✓	✓	✓						
20	21		✓	✓						
21	22			✓						

Search Notes 	Application/Control No. 11039569	Applicant(s)/Patent Under Reexamination JENNINGS, CULLEN
	Examiner Herrera, Diego	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
455	404.1 updated search class	1/2/2007	DH
updated	search above	8/30/2007	dh

SEARCH NOTES		
Search Notes	Date	Examiner
update search notes, used plus search with class search	1/2/2007	DH
talked to examiner lewis west recommended key word search in east	8/29/2007	dh

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
455	404.1	8/29/2007	dh

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	86516	(stor\$3 with messag\$3)	US-PGPUB; USPAT	OR	ON	2007/08/29 21:59
L2	2271	l1 and (dedicat\$3 near3 chan\$3)	US-PGPUB; USPAT	OR	ON	2007/08/29 22:00
L3	8156942	@pd<"20050120"	US-PGPUB; USPAT	OR	ON	2007/08/29 22:01
L4	1451	l3 and l2	US-PGPUB; USPAT	OR	ON	2007/08/29 22:01
L5	586	l4 and (differen\$3 near5 (entity device mobile device terminal))	US-PGPUB; USPAT	OR	ON	2007/08/29 22:02
L6	48	l5 and (parameters same messages same queue)	US-PGPUB; USPAT	OR	ON	2007/08/29 22:24
L7	48	l6 and (rank priority prior\$3)	US-PGPUB; USPAT	OR	ON	2007/08/29 22:24

EAST Search History

S1	76	("5533048" "4556983" "4942485" "5008903" "5241696" "5418976" "5426389" "5440585" "5448555" "5537436" "5596559" "5661718" "5675569" "5719923" "5745271" "5850378" "5915003" "5973752" "5987145" "6167082" "6175319" "6265920" "6370188" "6377076" "6392443" "6421394" "6466626" "6570406" "6680681" "6687286" "6768514" "6788739" "6794900" "6834035" "6937054" H002147 H002147 "20010043649" "20020034222" "20020057101" "20020154701" "20020186048" "20040071203" "20040071204" "20040071205" "20040071219" "20040076228" "20040114912" "20040125062" "20040239369" "20040243666" "20050105641" "20050259726" "20060093028" "20060109940" "20060126745" "20060156105" "20060171485" "20060238237" "20060245507" "5784366" "5909435" "4348692" "4924492" "5365229" "5757849" "5828696" "6094452" "5483529" "5742679" "5754593" "6014356" "6026035" "6031866" "6057877" "6098193" "6118495" "6154867" "6163569" "6188721" "6201564" "4320526" "4352190" "4425664" "4473273" "4500999" "4516162" "4556869" "4569073" "4594725" "4621366" "4758900" "4763753" "4775987" "4802129" "4888790" "4941151" "4949168" "4953183" "5023854").pn.	USPAT	OR	OFF	2007/08/29 21:59
S2	0	S1 and (priority near3 call)	USPAT	OR	OFF	2007/02/05 08:48
S3	162	receiver and (emergency near5 communication near5 channels)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2007/02/05 08:56
S4	1	S3 and (receiving near5 mult\$5 near5 mess\$3)	USPAT	OR	OFF	2007/02/05 09:01

EAST Search History

S5	90	("3843841" "3969709" "4237344" "4284849" "4303801" "4531527" "4772876" "4843377" "4856047" "4908600" "4993059" "4994787" "5016172" "5025374" "5062147" "5081667" "5128979" "5223844" "5228449" "5276728" "5278539" "5319355" "5319698" "5351235" "5390238" "5398782" "5402466" "5404577" "5412372" "5416695" "5432841" "5451839" "5485504" "5486812" "5513111" "5568535" "5570083" "5583831" "5587701" "5630207" "5652564" "5687215" "5719551" "5736932" "5739748" "5752976" "5777551" "5784685" "5786746" "5793283" "5812536" "5815417" "5821854" "5825283" "5845203" "5850180" "5850344" "5870020" "5873043" "5874889" "5892442" "5898391" "5898904" "5902234" "5907279" "5917405" "5933080" "5959529" "6023223" "6023241" "6028514" "6035021" "6057758" "6087952" "6118866" "6442241" "H001782").PN. OR ("6563910").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:18
----	----	--	------------------------------	----	-----	------------------

EAST Search History

S6	99	("5533048" "4556983" "4942485" "5008903" "5241696" "5418976" "5426389" "5440585" "5448555" "5537436" "5596559" "5661718" "5675569" "5719923" "5745271" "5850378" "5915003" "5973752" "5987145" "6167082" "6175319" "6265920" "6370188" "6377076" "6392443" "6421394" "6466626" "6570406" "6680681" "6687286" "6768514" "6788739" "6794900" "6834035" "6937054" H002147 H002147 "20010043649" "20020034222" "20020057101" "20020154701" "20020186048" "20040071203" "20040071204" "20040071205" "20040071219" "20040076228" "20040114912" "20040125062" "20040239369" "20040243666" "20050105641" "20050259726" "20060093028" "20060109940" "20060126745" "20060156105" "20060171485" "20060238237" "20060245507" "5784366" "5909435" "4348692" "4924492" "5365229" "5757849" "5828696" "6094452" "5483529" "5742679" "5754593" "6014356" "6026035" "6031866" "6057877" "6098193" "6118495" "6154867" "6163569" "6188721" "6201564" "4320526" "4352190" "4425664" "4473273" "4500999" "4516162" "4556869" "4569073" "4594725" "4621366" "4758900" "4763753" "4775987" "4802129" "4888790" "4941151" "4949168" "4953183" "5023854").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:20
S7	0	CALCULAT43 AND S6	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:20
S8	49	CALCULAT\$3 AND S6	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:21
S9	1	S8 AND MULTIMEDIA	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:22
S10	4	((("20050215229") or ("6249231")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2007/02/05 09:23

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

Application Number	11/039,569	Filing Date	2005-01-20	Docket Number (if applicable)	100101-004800US	Art Unit	2617
First Named Inventor	Cullen Jennings			Examiner Name	Herrera, Diego D.		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

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

SUBMISSION REQUIRED UNDER 37 CFR 1.114

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

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

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

☐ Other _____

☒ Enclosed

☒ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other _____

MISCELLANEOUS

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

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to
 Deposit Account No 503000

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Brian N. Young/	Date (YYYY-MM-DD)	2007-05-23
Name	Brian N. Young	Registration Number	48602

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

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		11039569		
Filing Date:		20-Jan-2005		
Title of Invention:		Method and system for managing communication in emergency communication system		
First Named Inventor/Applicant Name:		Cullen Jennings		
Filer:		Brian Nathaniel Young		
Attorney Docket Number:		100101-004800US		
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	120	120

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for continued examination	1801	1	790	790
Total in USD (\$)				910

Electronic Acknowledgement Receipt	
EFS ID:	1805997
Application Number:	11039569
International Application Number:	
Confirmation Number:	9328
Title of Invention:	Method and system for managing communication in emergency communication system
First Named Inventor/Applicant Name:	Cullen Jennings
Customer Number:	37490
Filer:	Brian Nathaniel Young
Filer Authorized By:	
Attorney Docket Number:	100101-004800US
Receipt Date:	23-MAY-2007
Filing Date:	20-JAN-2005
Time Stamp:	18:47:10
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$910
RAM confirmation Number	2633
Deposit Account	503000
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Amendment After Final	SecondAmendment.pdf	101742	no	12
Warnings:					
Information:					
2	Request for Continued Examination (RCE)	RCE_Seq10112_100101-00 4800US.pdf	666471	no	3
Warnings:					
Information:					
3	Fee Worksheet (PTO-06)	fee-info.pdf	8330	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			776543		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

Application No. 11/039,569
Attorney Ref.: 100101-004800US
Client Ref.: 10112

Appl. No. : 11/039,569
Applicants : Cullen Jennings
Filed : January 20, 2005
Title : Method and System for Managing Communication in Emergency Communication System
TC/A.U. : 2617
Examiner : Diego D. Herrera
Docket No. : 100101-004800US
Confirmation : 9328

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

AMENDMENT

Examiner:

In response to the Final Office Action mailed February 8, 2007 and Advisory Action dated May 4, 2007, please amend the above-identified application as follows:

Amendments to the Claims are shown in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A method of managing communication in ~~an emergency~~ communication system, the ~~emergency~~-communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first dedicated channel from amongst the plurality of channels at the ~~emergency~~-communication system, the plurality of channels being dedicated to different entities, the first dedicated channel being dedicated to receiving messages from a first entity;

receiving ~~at least one~~ a second message on a second dedicated channel being dedicated to receiving messages from a second entity ~~channels other than the first channel~~ from amongst the plurality of channels at the ~~emergency~~-communication system, the second message overlapping with the first message in time;

determining one or more priorities for the first message received on the first dedicated channel from the first entity and the second message received on the second dedicated channel from the second entity based on at least one pre-defined parameter;

determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

playing the message having a higher priority between the first and the second message;

storing at least one message having a lower priority between the first and the second message based on the determination; and

playing the stored message subsequent to completing playing of the message having higher priority.

2. (Canceled).

3. (Currently amended) The method of claim ~~2~~1, wherein ~~the prioritizingd~~
~~determining which message out of the first message and the second message should be stored~~
~~and subsequently played~~ comprises:

calculating the priorities of the received messages; and
comparing the priorities of the received messages.

4. (Currently amended) The method of claim ~~2~~1, wherein the predefined
parameter comprises a bandwidth requirement of the received messages.

5. (Currently amended) The method of claim ~~2~~1, wherein the predefined
parameter comprises a type of the received messages.

6. (Original) The method of claim 5, wherein the type of received messages being
one of a group comprising audio, video, text, and image.

7. (Currently amended) The method of claim ~~3~~1, wherein ~~determining the~~
~~prioritythe calculating the priorities~~ comprises assigning priorities to the ~~received first message~~
~~and the second message~~ based on inputs from a user.

8. (Currently amended) The method of claim 1, further comprising informing an
operator the time of receipt of a message while playing the ~~first message and the second~~
message.

9. (Original) The method of claim 1, wherein a message includes voice over
internet protocol communications.

10. (Original) The method of claim 1, wherein a message includes mobile phone
communications.

11. (Original) The method of claim 1, wherein a message includes radio communications.

12. (Currently amended) A method of managing communication in ~~an~~ emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first dedicated channel from amongst the plurality of channels at ~~an emergency~~ communication system, the plurality of channels being dedicated to different entities, the first dedicated channel being dedicated to receiving messages from a first entity;

receiving ~~at least one~~ a second message on a second dedicated channel being dedicated to receiving messages from a second entity ~~at least one channel from amongst the plurality of channels at the emergency communication system,~~ the second message overlapping with the first message in time;

prioritizing the ~~received first and second messages~~ message based on at least one predefined parameter;

determining which message out of the first message and the ~~at least one second~~ message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

playing the message having the highest priority;

storing the message having lower priority in a queue on the basis of the determination and the prioritization;

checking periodically the status of the message being played; and

playing the stored message having the highest priority.

13. (Previously presented) The method of claim 12 further comprising informing a user the time of receipt of a message while playing the message.

14. (Currently amended) ~~An emergency~~A communication system for managing communication, the ~~emergency~~-communication system receiving messages from a plurality of channels, the ~~emergency~~-communication system comprising:

means for receiving a plurality of messages on the plurality of channels, the plurality of messages received including a first message received from a first dedicated channel dedicated to receiving messages from a first entity and a second message received from a second dedicated channel dedicated to receiving messages from a second entity;

means for playing a received messages having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

means for prioritizing the received plurality of messages including the first message from the first dedicated channel and the second message from the second dedicated channel based on the predefined parameter;

means for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

means for sending a message for playing based on the associated priority;
and

means for storing the messages other than the one sent for playing in a queue based upon the associated priority.

15. (Currently amended) ~~An emergency~~A communication system for managing communication, the ~~emergency~~-communication system receiving messages from a plurality of channels, the ~~emergency~~-communication system comprising:

a receiver module configured to receive a plurality of messages on the plurality of channels, the plurality of messages received including a first message received from a first dedicated channel dedicated to receiving messages from a first entity and a second message received from a second dedicated channel dedicated to receiving messages from a second entity;

a player module configured to play a received message having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

a prioritizing module configured to prioritize the plurality of messages including the first message received on the first dedicated channel and the second message received on the second dedicated channel based on the predefined parameter;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a sender module configured to send a message for playing based on the associated priority; and

a storage medium configured to store the messages in a queue based upon the associated priority and the determination.

16. (Currently amended) The ~~emergency~~-communication system of claim 15, wherein the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages; and

a comparison module for comparing the priorities of the plurality of received messages.

17. (Currently amended) The ~~emergency~~-communication system of claim 15, wherein the central conferencing system further comprises an alert module for informing an operator the time of receipt of a message while playing the message.

18. (Currently amended) A central conferencing system for managing a plurality of messages received by an ~~emergency~~ communication system, ~~the emergency communication system receiving the messages on a plurality of channels and comprising a player module for playing the messages;~~ the central conferencing system comprising:

a receiver module configured to receive a plurality of messages on the plurality of channels, the plurality of messages received including a first message received from a first dedicated channel dedicated to receiving messages from a first entity and a second message received from a second dedicated channel dedicated to receiving messages from a second entity;

a prioritizing module for prioritizing the received messages based on at least one predefined parameter, the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages including the first message received on the first dedicated channel and the second message received on the second dedicated channel; and

a comparison module for comparing the priorities of the plurality of received messages;

a sender module for sending the messages with the highest priority to the player module for playing;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a storage module for storing the messages from amongst the plurality of messages that are not being played; and

an alert module for informing a user the time of receipt of a message while playing the message.

19. (Currently amended) An apparatus for managing communication in ~~an~~ emergency communication system, the ~~emergency~~ communication system receiving messages on a plurality of channels, the apparatus comprising:

a processing system including a processor coupled to a display and user input device; and

a machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels, the plurality of messages received including a first message received from a first dedicated channel dedicated to receiving messages from a first entity and a second message received from a second dedicated channel dedicated to receiving messages from a second entity;

one or more instructions for playing the message having the highest priority, the priority of the received messages including the first message and the second message being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

one or more instructions for storing at least one message having a lower priority; and

one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

20. (Currently amended) A machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels, the plurality of messages received including a first message received from a first dedicated channel dedicated to receiving messages from a first entity and a second message received from a second dedicated channel dedicated to receiving messages from a second entity;

one or more instructions for playing the message having the highest priority, the priority of the received messages including the first message and the second message being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

one or more instructions for storing at least one message having a lower priority;
and
one or more instructions for playing the stored messages subsequent to
completing playing of the message having higher priority.

21. (Previously Presented) The method of claim 1, wherein playing the message comprises playing the message having a higher priority between the first and second message without storing the message having the higher priority if no other message is being played.

22. (New) The method of claim 1, wherein determining the priority comprises determining the priority based on the dedicated channel the first message and/or the second message is received on.

REMARKS/ARGUMENTS

Upon entry of this amendment, which amends claims 1, 3-5, 7-8, 12, and 14-20 18-20, and cancels claim 2, and adds claim 22, claims 1 and 3-22 will be pending. This amendment is in response to the final office action mailed 2/8/2007 and the advisory action mailed 5/4/2007. In the final office action, claim 21 was objected to because it introduced new matter into the disclosure and claims 1, 14-15, and 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chang (U.S. Patent Publication No. 2005/0215229 A1) in view of Uchida (U.S. Patent No. 6,249,231 B1). Applicant respectfully requests reconsideration of the claims in view of the amendments above and remarks below.

Applicant thanks the Examiner for the courtesy of the Interview conducted on 5/17/07. During the Interview, amendments to the claims and the cited references were discussed.

The advisory action stated that claim 21 introduces new matter and specification does not support that which was introduced by claim 21. Applicant respectfully traverses the rejection. As described in paragraph 21, radio message A is played as soon as it is received on channel 1. Radio message B is then played since it does not overlap with radio message A. As shown in Fig. 4, radio message B is played as soon as it is received. A radio message C overlaps with radio message B and thus is stored in the queue because it has a lower priority than the priority of radio message B. Thus, paragraph 21 and Fig. 4 show that a radio message B is played when it is received and also that radio message B overlaps with a radio message C. Thus, Applicant submits that claim 21 is supported because radio message B is played without storing the message if no other message is being played and radio message C is stored when it overlaps with radio message B. Thus, applicant submits that claim 21 does not introduce new matter.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chang in view of Uchida. Applicants submit that Chang and Uchida, either alone or in combination, do not disclose or suggest every element of claim 1, as amended. For example, Chang and Uchida, either alone or in combination, fail to disclose or suggest a plurality of channels dedicated to

different entities where a first dedicated channel is dedicated to receiving messages from a first entity and a second channel is dedicated to receiving messages from a second entity. In one embodiment of a communications system, channels are dedicated to different entities. For example, a fire department can allocate one channel to a school or other public places, such as shopping malls. This may mean more effective communications during an emergency in one embodiment. Because channels are allocated to different entities, multiple messages may be received on different channels at one time. This may create confusion for an operator who may need to reply/act on each incoming message. Conventionally, an operator may have had to mute a channel to clearly follow another channel.

Particular embodiments provide for prioritizing the first and second message based on at least one predefined parameter for the first message and/or the second message. Then, one of the messages having a higher priority is played while the other message have a lower priority is stored. The stored message is then played upon completion of the message having the higher priority. Applicants submit that Chang and Uchida do not disclose or suggest the above elements. For example, Chang is directed toward receiving emergency data calls. Also, Uchida is directed toward receiving pages. Nowhere is it disclosed or suggested in Chang and Uchida, either alone or in combination, that channels are dedicated to entities. Rather, in Chang, different users call the contact center. Also, in Uchida, pages are received by a pager. Applicants submit this does not disclose or suggest a plurality of channels where channels are dedicated to different entities.

Further, Chang and Uchida do not disclose or suggest determining a priority to a first message received on a first channel dedicated to a first entity and a second message received on a second channel from a second entity based on at least one predefined parameter. It should be noted that an entity may include any number of users. For example, a number of users may be in an entity and may be able to send messages on the dedicated channel. Chang and Uchida do not disclose or suggest determining a priority for messages received on different channels dedicated to different entities based on a predefined parameter.

Accordingly, applicants respectfully request withdrawal of the rejection of claim 1. Claims 3-11, 21, and 22 depend from claim 1 and thus derive patentability at least therefrom. Applicants submit that these claims also recite additional non-obvious and novel features. For

Application No. 11/039,569
Attorney Ref.: 100101-004800US
Client Ref.: 10112

example, claim 22 recites that the priority is determined based on the dedicated channel the first message or the second message is received. For example, a first channel may be given higher priority than a second channel because it is associated with an entity that is considered more important.

Applicants also submit that claims 12-20 should be allowable for at least a similar rationale as discussed with respect to claim 1.

Applicant respectfully submits that the present claims are in condition for allowance and an early Notice of Allowance is earnestly sought. The undersigned may be contacted at the telephone number below at the Examiner's convenience if it would help in the prosecution of this matter.

Respectfully submitted,

TRELLIS INTELLECTUAL PROPERTY
LAW GROUP, PC

By /Brian N. Young/
Brian N. Young
Reg. No. 48,602
Tel.: 650-842-0300

Attachments

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
			RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(e), (f), or (g))	N/A	N/A	N/A	150.00		N/A	300.00
SEARCH FEE (37 CFR 1.16(h), (i), or (j))	N/A	N/A	N/A	\$250		N/A	\$500
EXAMINATION FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	\$100		N/A	\$200
TOTAL CLAIMS (37 CFR 1.16(n))			X\$ 25		OR	X\$50	
INDEPENDENT CLAIMS (37 CFR 1.16(n))			X100		OR	X200	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			+180=			+360=	
			TOTAL			TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

AMENDMENT A	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	21	Minus	21	X\$ 25		OR	X\$50	
Independent (37 CFR 1.16(i))	7	Minus	7	X100		OR	X200	
Application Size Fee (37 CFR 1.16(s))						OR		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				+180=		OR	+360=	
				TOTAL		OR	TOTAL	
				ADD'L FEE		OR	ADD'L FEE	

AMENDMENT B	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	21	Minus	21	X\$ 25		OR	X\$50	
Independent (37 CFR 1.16(i))	7	Minus	7	X100		OR	X200	
Application Size Fee (37 CFR 1.16(s))						OR		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				+180=		OR	+360=	
				TOTAL		OR	TOTAL	
				ADD'L FEE		OR	ADD'L FEE	

- If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.
 This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the PTO 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, 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.

Application No. 11/039,569
Attorney Ref.: 100101-004800US
Client Ref.: 10112

Appl. No. : 11/039,569
Applicants : Cullen Jennings
Filed : January 20, 2005
Title : Method and System for Managing Communication in Emergency Communication System
TC/A.U. : 2617
Examiner : Diego D. Herrera
Docket No. : 100101-004800US
Confirmation : 9328

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

AMENDMENT

Examiner:

In response to the Final Office Action mailed February 8, 2007, please amend the above-identified application as follows:

Amendments to the Claims are shown in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Entered
w/RCE
8-23-07
DBL
6-22-07



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/039,569	01/20/2005	Cullen Jennings	100101-004800US	9328
37490 7590 05/04/2007 Trellis Intellectual Property Law Group, PC 1900 EMBARCADERO ROAD SUITE 109 PALO ALTO, CA 94303			EXAMINER HERRERA, DIEGO D	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 05/04/2007	DELIVERY MODE PAPER

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

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

11/039,569

Applicant(s)

JENNINGS, CULLEN

Examiner

Diego Herrera

Art Unit

2617

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

THE REPLY FILED 23 March 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

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

NOTICE OF APPEAL

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

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

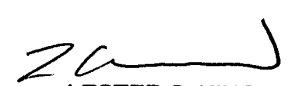
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

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

REQUEST FOR RECONSIDERATION/OTHER

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


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant states: one skilled in the art can find from paragraph 21 and 16 obvious that overlapping messages A and B could occur, however, the applicant fails to demonstrate that the solution claimed in claim 21 is specific to that problem, is supported by the specification. furthermore, the applicant admits that such example does not exist in original specification. Applicant argues that the combination does not teach the limitations in claim 1 the examiner disagrees, Chang and Uchida in combination teach the limitations in claim 1; claim 1 is broad enough that it reads on the references cited.

Application No. 11/039,569
Attorney Ref.: 100101-004800US
Client Ref.: 10112

Appl. No. : 11/039,569
Applicants : Cullen Jennings
Filed : January 20, 2005
Title : Method and System for Managing Communication in Emergency Communication System
TC/A.U. : 2617
Examiner : Diego D. Herrera
Docket No. : 100101-004800US
Confirmation : 9328

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

AMENDMENT

Examiner:

In response to the Final Office Action mailed February 8, 2007, please amend the above-identified application as follows:

Amendments to the Claims are shown in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously presented) A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:
 - receiving a first message on a first channel from amongst the plurality of channels at the emergency communication system;
 - receiving at least one second message on channels other than the first channel from amongst the plurality of channels at the emergency communication system, the second message overlapping with the first message in time;
 - determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;
 - playing the message having a higher priority between the first and the second message;
 - storing at least one message having a lower priority between the first and the second message based on the determination; and
 - playing the stored message subsequent to completing playing of the message having higher priority.
2. (Original) The method of claim 1, wherein the playing the message having a higher priority comprises prioritizing the received messages based on at least one predefined parameter.
3. (Original) The method of claim 2, wherein the prioritizing comprises:
 - calculating the priorities of the received messages; and
 - comparing the priorities of the received messages.

4. (Original) The method of claim 2, wherein the predefined parameter comprises a bandwidth requirement of the received messages.

5. (Original) The method of claim 2, wherein the predefined parameter comprises a type of the received messages.

6. (Original) The method of claim 5, wherein the type of received messages being one of a group comprising audio, video, text, and image.

7. (Original) The method of claim 3, wherein the calculating the priorities comprises assigning priorities to the received messages based on inputs from a user.

8. (Original) The method of claim 1, further comprising informing an operator the time of receipt of a message while playing the message.

9. (Original) The method of claim 1, wherein a message includes voice over internet protocol communications.

10. (Original) The method of claim 1, wherein a message includes mobile phone communications.

11. (Original) The method of claim 1, wherein a message includes radio communications.

12. (Previously presented) A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first channel from amongst the plurality of channels at an emergency communication system;

receiving at least one second message on at least one channel from amongst the plurality of channels at the emergency communication system, the second message overlapping with the first message in time;

prioritizing the received message based on at least one predefined parameter;

determining which message out of the first message and the at least one second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message

playing the message having the highest priority;

storing the message having lower priority in a queue on the basis of the determination and the prioritization;

checking periodically the status of the message being played; and

playing the stored message having the highest priority.

13. (Previously presented) The method of claim 12 further comprising informing a user the time of receipt of a message while playing the message.

14. (Previously presented) An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

means for receiving a plurality of messages on the plurality of channels;

means for playing a received messages having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

means for prioritizing the received plurality of messages based on the predefined parameter;

means for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

means for sending a message for playing based on the associated priority;
and
means for storing the messages other than the one sent for playing in a queue based upon the associated priority.

15. (Previously presented) An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

a receiver module configured to receive a plurality of messages on the plurality of channels;

a player module configured to play a received message having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

a prioritizing module configured to prioritize the plurality of messages based on the predefined parameter;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a sender module configured to send a message for playing based on the associated priority; and

a storage medium configured to store the messages in a queue based upon the associated priority and the determination.

16. (Original) The emergency communication system of claim 15, wherein the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages; and

a comparison module for comparing the priorities of the plurality of received messages.

17. (Original) The emergency communication system of claim 15, wherein the central conferencing system further comprises an alert module for informing an operator the time of receipt of a message while playing the message.

18. (Previously presented) A central conferencing system for managing a plurality of messages received by an emergency communication system, the emergency communication system receiving the messages on a plurality of channels and comprising a player module for playing the messages, the central conferencing system comprising:

a prioritizing module for prioritizing the received messages based on at least one predefined parameter, the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages;

and

a comparison module for comparing the priorities of the plurality of received messages;

a sender module for sending the messages with the highest priority to the player module for playing;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a storage module for storing the messages from amongst the plurality of messages that are not being played; and

an alert module for informing a user the time of receipt of a message while playing the message.

19. (Previously presented) An apparatus for managing communication in an emergency communication system, the emergency communication system receiving messages on a plurality of channels, the apparatus comprising:

a processing system including a processor coupled to a display and user input device; and

a machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels;

one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message

one or more instructions for storing at least one message having a lower priority; and

one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

20. (Previously presented) A machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels;

one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

one or more instructions for storing at least one message having a lower priority;
and

one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

21. (Previously Presented) The method of claim 1, wherein playing the message comprises playing the message having a higher priority between the first and second message without storing the message having the higher priority if no other message is being played.

REMARKS/ARGUMENTS

Claims 1-21 are pending. In the office action, claim 21 was objected to because it introduced new matter into the disclosure; claims 1, 14-15 and 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chang (U.S. Patent Publication No. 2005/0215229 A1) in view of Uchida (U.S. Patent No. 6, 249, 231 B1). Applicants respectfully traverse the rejection.

The amendment was rejected under 35 U.S.C. §132(a) because it introduces new matter into the disclosure. Applicants submit the specification of claim 21 is disclosed in the application and is not introducing new matter. For example, in paragraph 21 on page 9, the specification states a radio message A is played as soon as it is received on channel 1. Thereafter, radio message B is played. Thus, this discloses that a message having a higher priority is played without being stored if no other messages are being played. Although this example does not show that messages A and B overlap in time, it would have been obvious from the specification that this could occur. For example, in paragraph 16, a first radio message is received in addition to a second radio message. The second radio message overlaps the first radio message in time. The radio message with the higher priority between the first and second radio messages is played. The radio message with the lower priority is then stored and played at a later time. The stored radio message is played when no other message is being played. Accordingly, applicants submit that claim 21 does not introduce new matter.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chang in view of Uchida. Applicant respectfully traverses the rejection. In the response to arguments, the rejection states that Chang discloses receiving emergency data calls, processing and prioritizing them depending on the level of emergency. Also, the response states that Uchida shows that it is common to prioritize the use of radio data and store messages in the order of preferential ranking and to store the messages in such ranking.

Nowhere in the response to arguments is the determining element of claim 1 addressed (determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message).

Further, in the detailed claim rejections under claim 1, the rejection states that Chang discloses receiving a first message and receiving a second message that overlaps with the first message in time. Then the rejection states that Chang does not disclose storing of the message having a lower priority and playing the stored message subsequent to completion of the message having the higher priority. The rejection then states that Uchida teaches storing at least one message having a lower priority between the first and second message and playing the stored message subsequent to completed playing of the message having the higher priority. Nowhere in the rejection is the determining step of claim 1 addressed. Thus, the rejections fails to address where the determining step is disclosed or suggested in Cheng and Uchida in the response to arguments and the substantive rejection of claim 1. Accordingly, applicants request that the examiner point out where in Chang and Uchida the determining element is disclosed or suggested. Further, applicants request a non-final office action in response.

Additionally, applicant submits that Chang and Uchida do not disclose or suggest determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message. Cheng discloses a method of managing communications in a call processing system. As shown in Fig. 3 of Cheng, a call is received and information for the call is stored in a first waiting buffer 32. These calls are processed in a first in-first out manner and then inserted in buffers 361, 362, and 36n. Buffers 361, 362, and 36n are assigned different priorities. The calls are then processed out of these buffers in priority. In Cheng, a call is received from a user and then the user disconnects. The emergency call center then calls the user back when its call is processed from one of the priority queues 36n.

Uchida discloses a radio paging receiver that stores messages into directories corresponding to paging numbers. These stored messages are then displayed from a particular directory based on a preferential ranking.

Applicant submits that Uchida and Cheng, either alone or in combination, do not disclose or suggest the determining element. In Uchida, pages are received and stored in folders based on the paging numbers that they are received from. See *Uchida*, abstract. Thus, the

numbers are stored in the directories based on the number for a sender of a message. Uchida does not disclose or suggest storing the pages based on an overlapping in pages in time.

Also, in Cheng, there is no disclosure that the messages received overlap in time. In Cheng, emergency calls are received and stored in a waiting buffer. The user then disconnects and waits for the emergency call center to call back. Cheng does not disclose or suggest that these calls overlap. Cheng stores information in all calls in a first in-first out buffer. Then, calls are stored in buffers 36n based on a priority. Cheng does not disclose or suggest determining which message should be stored and played subsequent based on the second message overlapping with the first message in time and a priority assigned each of the first and the second message. Rather, messages are always stored in Cheng and Cheng does not disclose or suggest making the determination based on an overlap in time. The messages are first stored in the FIFO and then stored in buffers 36n based on a priority desired. Because the users in Cheng hang up and are called back, it would not have been obvious to make the above determination because Cheng may not expect overlap. Even if overlap did exist (Cheng does not disclose this however), the above determination is not made in Cheng because the messages are always stored and then moved to a priority buffer. Thus, the combination of Cheng and Uchida may store messages or pages but this storing is not performed based on any determination that the messages or pages overlap in time or the priority of the messages or pages.

Accordingly, applicants respectfully request withdrawal of the rejection of claim 1. Accordingly, applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-11 and 21 depend from claim 1 and thus derive patentability at least therefrom. Accordingly, applicant respectfully requests withdrawal of the rejections of claims 2-11 and 21.

Also, applicant submits that claims 12-20 should be allowable for at least a similar rationale as discussed with respect to claim 1.

Application No. 11/039,569
Attorney Ref.: 100101-004800US
Client Ref.: 10112

Applicant respectfully submits that the present claims are in condition for allowance and an early Notice of Allowance is earnestly sought. The undersigned may be contacted at the telephone number below at the Examiner's convenience if it would help in the prosecution of this matter.

Respectfully submitted,

TRELLIS INTELLECTUAL PROPERTY
LAW GROUP, PC

By /Brian N. Young/
Brian N. Young
Reg. No. 48,602
Tel.: 650-842-0300

Attachments

Electronic Acknowledgement Receipt

EFS ID:	1621038
Application Number:	11039569
International Application Number:	
Confirmation Number:	9328
Title of Invention:	Method and system for managing communication in emergency communication system
First Named Inventor/Applicant Name:	Cullen Jennings
Customer Number:	37490
Filer:	Brian Nathaniel Young
Filer Authorized By:	
Attorney Docket Number:	100101-004800US
Receipt Date:	23-MAR-2007
Filing Date:	20-JAN-2005
Time Stamp:	19:03:35
Application Type:	Utility

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Amendment After Final	Amendment-CPOL-512821-100101-004800US.pdf	41021	no	12

Warnings:

Information:	
Total Files Size (in bytes):	41021
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 11/039,569		Filing Date 01/20/2005		☐ To be Mailed	
APPLICATION AS FILED – PART I									
(Column 1)		(Column 2)		SMALL ENTITY ☐ OR		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(j))	minus 20 =	*	X \$ =		OR	X \$ =			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =		OR	X \$ =			
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))									
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL				
APPLICATION AS AMENDED – PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT	10/30/2006	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	21	Minus	20	= 1	X \$ =		OR	X \$50=	50
Independent (37 CFR 1.16(h))	7	Minus	7	= 0	X \$ =		OR	X \$200=	0
☐ Application Size Fee (37 CFR 1.16(s))							OR		
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	50
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT	3/29/07	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	21	Minus	21	= 0	X \$ =		OR	X \$ =	
Independent (37 CFR 1.16(h))	7	Minus	7	= 0	X \$ =		OR	X \$ =	
☐ Application Size Fee (37 CFR 1.16(s))							OR		
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.									

Legal Instrument Examiner:
Vikki Short

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

11/039,569

01/20/2005

Cullen Jennings

100101-004800US

9328

37490 7590 02/08/2007
Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

EXAMINER

HERRERA, DIEGO D

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

02/08/2007

PAPER

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

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	11/039,569	JENNINGS, CULLEN	
	Examiner	Art Unit	
	Diego Herrera	2617	

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

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ 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

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☐ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Response to Amendment

Claims 1, 12-15, and 18-20 amendments are accepted.

Claim 21 is new.

The amendment filed 10/30/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: claim 21 introduces new matter to the disclosure. The method of claim 1, wherein playing the message comprises playing the message having a higher priority between the first and second message without storing the message having the higher priority if no other message is being played.

Applicant is required to cancel the new matter in the reply to this Office Action.

Response to Arguments

Applicant's arguments filed 10/30/2006 have been fully considered but they are not persuasive.

In response to the applicants arguments concerning claims 1-20, the applicants features in the claims wherein a method for receiving and prioritizing messages in an emergency center from a plurality of channels that is receiving messages from mobile

Art Unit: 2617

users, furthermore, storing messages in order of priority; messages received are then reviewed in the order of priority, reads on Cheng and Uchida as follows.

Cheng is disclosing the receiving of emergency data calls incoming to an emergency processing system, also, the calls are being processed and prioritized depending on level of emergency; therefore, Cheng discloses assigning priority to urgent calls and storing them for review. Cheng did not specifically disclose the displaying mechanism nor a radio type transmission. However, the limitation is broad, and reads upon the secondary reference Uchida, Uchida shows it is obvious to one skilled in the art to show that in such prioritizing it is common to use of radio data and stores messages in order of preferential ranking and to use displays to stored message in such ranking.

Claim Rejections - 35 USC § 103

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.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng (US publication 2005/0215229 A1), and in view of Uchida (US PATENT 6249231 B1).

1. Regarding claims 1, 14-15, & 19-20, Cheng discloses a method of managing communication in an emergency communication system (title, abstract, fig. 4a-5c), the emergency communication system receiving messages from a plurality of channels (paragraphs [0008]-[0009], [0011]-[0012], Cheng teaches an emergency call center, hence, receiving messages from a plurality of channels), the method comprising:

Art Unit: 2617

a. Receiving a first message on a first channel from amongst the plurality of channels (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);

b. Receiving at least one second message on channels other than the first channel from amongst the plurality of channels, the second message overlapping with the first message in time (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);

c. However, Cheng does not specifically disclose the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.

d. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2

lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining
information

about situation having caller information and then sending receipt of
message

or information received and that it will be processed according to
priority); and

playing the stored message subsequent to completing playing of the
message having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida
teaches the playing of stored message).

e. Therefore, it would have been obvious to a person of ordinary skill in the
art at

the time the invention was made to modify the invention of Cheng to
specifically store at least one message having a lower priority between

the
first and second message and playing the stored message subsequent to
completing playing of the message having higher priority as taught by

Uchida

for the purposes of processing the calls in a more efficient way.

Regarding claim 12, Cheng discloses a method of managing
communication in an

emergency communication system abstract, call processing system
center,

paragraph [0008]), the emergency communication system receiving messages from

a plurality of channels (paragraphs [0008]-[0009], [0011]-[0012], Cheng teaches an

emergency call center, hence, receiving messages from a plurality of channels), the

method comprising:

a. Receiving a first message on a first channel from amongst the plurality of

channels (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);

b. Receiving at least one second message on at least one channel from amongst the plurality of channels, the second message overlapping with the

first message in time (paragraphs [0024]-[0026], Cheng teaches receiving

message, being sorted and then prioritized);

c. Prioritizing the received message based on at least one predefined parameter (paragraphs [0025]-[0027], Cheng teaches the priority assigning system and method for prioritizing and sorting calls that come in to the call center based on parameters);

d. Playing the message having the highest priority (paragraphs [0030]-[0031],

Art Unit: 2617

Cheng teaches message with information about the call message with highest

priority being send to operators that will act according to emergency);

e. Checking periodically the status of the message being played (fig. 5a, paragraph [0028], Cheng teaches monitoring of status of call and message);

f. However, Cheng does not specifically discloses the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.

g. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2 lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining information about situation having caller information and then sending receipt of

message

or information received and that it will be processed according to priority);

and

playing the stored message subsequent to completing playing of the

message

having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida teaches the playing of stored message).

h. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cheng to

Art Unit: 2617

specifically store at least one message having a lower priority between the first and second message and playing the stored message subsequent to completing playing of the message having higher priority as taught by Uchida for the purposes of processing the calls in a more efficient way.

Regarding claim 18, Cheng discloses a central conferencing system (abstract, call

processing system center, paragraph [0008]) for managing a plurality of messages

received by an emergency communication system, the emergency communication

system receiving the messages on a plurality of channels and comprising a player

module for playing the messages (paragraphs [0008]-[0009], [0011]-[0012], Cheng

teaches an emergency call center, hence, receiving messages from a plurality of channels), the central conferencing system comprising:

a. A prioritizing module for prioritizing the received messages based on at least one predefined parameter (abstract, title, paragraphs [0025]-[0028], Cheng teaches prioritizing system for messages based on parameters), the prioritizing module comprises:

i. A priority calculator for calculating the priority of the received messages (paragraphs [0025]-[0028], Cheng teaches assignment of

- priority); and
- ii. A comparison module for comparing the priorities of the plurality of received messages (paragraphs [0024]-[0028], Cheng teaches the processing system in place for prioritizing and sorting a plurality of calls based on parameters set by system);
- b. A sender module for sending the messages with the highest priority to the player module for playing (paragraphs [0030]-[0031], Cheng teaches message with information about the call message with highest priority being send to operators that will act according to emergency);
- c. An alert module for informing a user the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an operator of emergency data and information pertaining to call while playing message, such as time constraints).
- d. However, Cheng does not specifically disclose the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.
- e. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2 lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining information about situation having caller information and then sending receipt of message or information received and that it will be processed according to priority); and

playing the stored message subsequent to completing playing of the message having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida teaches the playing of stored message).

f. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cheng to specifically store at least one message having a lower priority between the first and second message and playing the stored message subsequent to completing playing of the message having higher priority as taught by Uchida for the purposes of processing the calls in a more efficient way.

4. Consider claim 2, and as applied to claim 1 above, the combination of Cheng and

Uchida disclose wherein the playing the message having a higher priority comprises

prioritizing the received messages based on at least one predefined parameter (paragraphs [0025]-[0027], Cheng teaches the priority assigning system and method

for prioritizing and sorting calls that come in to the call center based on parameters).

5. Consider claim 3, and as applied to claim 2 above, the combination of Cheng and

Uchida disclose wherein the prioritizing comprises:

a. Calculating the priorities of the received messages; and comparing the

priorities of the received messages (paragraphs [0024]-[0027], Cheng teaches the priority assigning system and method for prioritizing and sorting calls that come in to the call center).

6. Consider claim 4, and as applied to claim 2 above, the combination of Cheng and

Uchida disclose wherein the predefined parameter comprises a bandwidth requirement of the received messages (paragraph [0004] & [0010]-[0011],

Cheng

teaches data communication networks; hence, bandwidth settings being used).

7. Consider claim 5, and as applied to claim 2 above, the combination of Cheng and Uchida disclose wherein the predefined parameter comprises a type of the received

messages (paragraph [0026], Cheng teaches the different types of received messages being received by central processing call center).

8. Consider claim 6, and as applied to claim 5 above, the combination of Cheng and

Uchida disclose wherein the type of received messages being one of a group comprising audio, video, text, and image (paragraph [0026], Cheng teaches the different types of received messages being received by central processing call center).

9. Consider claim 7, and as applied to claim 3 above, the combination of Cheng and

Uchida disclose wherein the calculating the priorities comprises assigning priorities

to the received messages based on inputs from a user (paragraphs [0025]-[0027],

Cheng teaches the priority assigning system and method for prioritizing calls that

come in to the call center).

10. Consider claim 8, and as applied to claim 1 above, the combination of Cheng and

Uchida disclose further comprising informing an operator the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027],

Cheng

teaches informing an operator of emergency data and information pertaining to call

while playing message, such as time constraints).

11. Consider claim 9, and as applied to claim 1 above, the combination of Cheng and

Uchida disclose wherein a message includes voice over Internet protocol communications (paragraph [0028]-[0029], Cheng teaches sending a SMS message as receipt of information being received, hence VOIP being used).

12. Consider claim 10, and as applied to claim 1 above, the combination of Cheng and

Uchida disclose wherein a message includes mobile phone communications
(Cheng-abstract).

13. Consider claim 11, and as applied to claim 1 above, the combination of Cheng
and

Uchida disclose wherein a message includes radio communications (abstract,
Uchida teaches radio communication for relating to prioritizing data).

14. Consider claim 13, and as applied to claim 12 above, the combination of
Cheng and

Uchida disclose further comprising informing a user the time of receipt of a
message

while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches
informing an operator of emergency data and information pertaining to call while
playing message, such as time constraints).

15. Consider claim 16, and as applied to claim 15 above, the combination of
Cheng and

Uchida disclose wherein the prioritizing module comprises:

a. A priority calculator for calculating the priority of the received messages; and
a comparison module for comparing the priorities of the plurality of received
messages (paragraphs [0025]-[0027], Cheng teaches the processing system
and method by emergency call center to determine priority amongst a
plurality
of calls).

16. Consider claim 17, and as applied to claim 15 above, the combination of
Cheng and

Uchida disclose wherein the central conferencing system further comprises an
alert module for informing an operator the time of receipt of a message while playing the
message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an
operator

of emergency data and information pertaining to call while playing message,
such as
time constraints).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DH


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER

<i>Index of Claims</i> 	Application/Control No. 11039569	Applicant(s)/Patent Under Reexamination JENNINGS, CULLEN
	Examiner Herrera, Diego	Art Unit 2617

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

☐ Claims renumbered in the same order as presented by applicant				☐ CPA				☐ T.D.				☐ R.1.47			
CLAIM		DATE													
Final	Original	07/24/2006	01/23/2007												
	1	✓	✓												
	2	✓	✓												
	3	✓	✓												
	4	✓	✓												
	5	✓	✓												
	6	✓	✓												
	7	✓	✓												
	8	✓	✓												
	9	✓	✓												
	10	✓	✓												
	11	✓	✓												
	12	✓	✓												
	13	✓	✓												
	14	✓	✓												
	15	✓	✓												
	16	✓	✓												
	17	✓	✓												
	18	✓	✓												
	19	✓	✓												
	20	✓	✓												
	21		✓												

Search Notes 	Application/Control No. 11039569	Applicant(s)/Patent Under Reexamination JENNINGS, CULLEN
	Examiner Herrera, Diego	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
455	404.1 updated search class	1/2/2007	DH

SEARCH NOTES		
Search Notes	Date	Examiner
update search notes, used plus search with class search	2/2/2007	DH

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	76	("5533048" "4556983" "4942485" "5008903" "5241696" "5418976" "5426389" "5440585" "5448555" "5537436" "5596559" "5661718" "5675569" "5719923" "5745271" "5850378" "5915003" "5973752" "5987145" "6167082" "6175319" "6265920" "6370188" "6377076" "6392443" "6421394" "6466626" "6570406" "6680681" "6687286" "6768514" "6788739" "6794900" "6834035" "6937054" H002147 H002147 "20010043649" "20020034222" "20020057101" "20020154701" "20020186048" "20040071203" "20040071204" "20040071205" "20040071219" "20040076228" "20040114912" "20040125062" "20040239369" "20040243666" "20050105641" "20050259726" "20060093028" "20060109940" "20060126745" "20060156105" "20060171485" "20060238237" "20060245507" "5784366" "5909435" "4348692" "4924492" "5365229" "5757849" "5828696" "6094452" "5483529" "5742679" "5754593" "6014356" "6026035" "6031866" "6057877" "6098193" "6118495" "6154867" "6163569" "6188721" "6201564" "4320526" "4352190" "4425664" "4473273" "4500999" "4516162" "4556869" "4569073" "4594725" "4621366" "4758900" "4763753" "4775987" "4802129" "4888790" "4941151" "4949168" "4953183" "5023854").pn.	USPAT	OR	OFF	2007/02/05 08:55
L2	0	L1 and (priority near3 call)	USPAT	OR	OFF	2007/02/05 08:48
L3	162	receiver and (emergency near5 communication near5 channels)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2007/02/05 08:56
L4	1	I3 and (receiving near5 mult\$5 near5 mess\$3)	USPAT	OR	OFF	2007/02/05 09:01

EAST Search History

L5	90	("3843841" "3969709" "4237344" "4284849" "4303801" "4531527" "4772876" "4843377" "4856047" "4908600" "4993059" "4994787" "5016172" "5025374" "5062147" "5081667" "5128979" "5223844" "5228449" "5276728" "5278539" "5319355" "5319698" "5351235" "5390238" "5398782" "5402466" "5404577" "5412372" "5416695" "5432841" "5451839" "5485504" "5486812" "5513111" "5568535" "5570083" "5583831" "5587701" "5630207" "5652564" "5687215" "5719551" "5736932" "5739748" "5752976" "5777551" "5784685" "5786746" "5793283" "5812536" "5815417" "5821854" "5825283" "5845203" "5850180" "5850344" "5870020" "5873043" "5874889" "5892442" "5898391" "5898904" "5902234" "5907279" "5917405" "5933080" "5959529" "6023223" "6023241" "6028514" "6035021" "6057758" "6087952" "6118866" "6442241" "H001782").PN. OR ("6563910").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:18
----	----	--	------------------------------	----	-----	------------------

EAST Search History

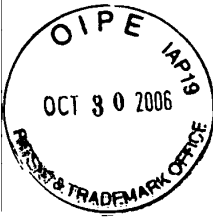
L6	99	("5533048" "4556983" "4942485" "5008903" "5241696" "5418976" "5426389" "5440585" "5448555" "5537436" "5596559" "5661718" "5675569" "5719923" "5745271" "5850378" "5915003" "5973752" "5987145" "6167082" "6175319" "6265920" "6370188" "6377076" "6392443" "6421394" "6466626" "6570406" "6680681" "6687286" "6768514" "6788739" "6794900" "6834035" "6937054" H002147 H002147 "20010043649" "20020034222" "20020057101" "20020154701" "20020186048" "20040071203" "20040071204" "20040071205" "20040071219" "20040076228" "20040114912" "20040125062" "20040239369" "20040243666" "20050105641" "20050259726" "20060093028" "20060109940" "20060126745" "20060156105" "20060171485" "20060238237" "20060245507" "5784366" "5909435" "4348692" "4924492" "5365229" "5757849" "5828696" "6094452" "5483529" "5742679" "5754593" "6014356" "6026035" "6031866" "6057877" "6098193" "6118495" "6154867" "6163569" "6188721" "6201564" "4320526" "4352190" "4425664" "4473273" "4500999" "4516162" "4556869" "4569073" "4594725" "4621366" "4758900" "4763753" "4775987" "4802129" "4888790" "4941151" "4949168" "4953183" "5023854").pn.	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:20
L7	0	CALCULAT43 AND L6	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:20
L8	49	CALCULAT\$3 AND L6	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:21
L9	1	L8 AND MULTIMEDIA	US-PGPUB; USPAT; USOCR	OR	OFF	2007/02/05 09:22
L10	4	((("20050215229") or ("6249231")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2007/02/05 09:23

PLUS Search Results for S/N 11039569, Searched Fri Jan 26 09:21:55 EST 2007

The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

5533048 99	20040239369 96	4953183 64
4556983 96	20040243666 96	5023854 64
4942485 96	20050105641 96	
5008903 96	20050259726 96	
5241696 96	20060093028 96	
5418976 96	20060109940 96	
5426389 96	20060126745 96	
5440585 96	20060156105 96	
5448555 96	20060171485 96	
5537436 96	20060238237 96	
5596559 96	20060245507 96	
5661718 96	5784366 71	
5675569 96	5909435 71	
5719923 96	4348692 65	
5745271 96	4924492 65	
5850378 96	5365229 65	
5915003 96	5757849 65	
5973752 96	5828696 65	
5987145 96	6094452 65	
6167082 96	5483529 65	
6175319 96	5742679 65	
6265920 96	5754593 65	
6370188 96	6014356 65	
6377076 96	6026035 65	
6392443 96	6031866 65	
6421394 96	6057877 65	
6466626 96	6098193 65	
6570406 96	6118495 65	
6680681 96	6154867 65	
6687286 96	6163569 65	
6768514 96	6188721 65	
6788739 96	6201564 65	
6794900 96	4320526 64	
6834035 96	4352190 64	
6937054 96	4425664 64	
H002147 96	4473273 64	
H002147 96	4500999 64	
20010043649 96	4516162 64	
20020034222 96	4556869 64	
20020057101 96	4569073 64	
20020154701 96	4594725 64	
20020186048 96	4621366 64	
20040071203 96	4758900 64	
20040071204 96	4763753 64	
20040071205 96	4775987 64	
20040071219 96	4802129 64	
20040076228 96	4888790 64	
20040114912 96	4941151 64	
20040125062 96	4949168 64	

Application No. 11/039,569
Trellis Ref.: 100101-004800US
Client Ref.: 10112



Date: October 26, 2006

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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

Signed: _____

Sherry Sutterfield

Appl. No. : 11/039,569
Applicants : Cullen Jennings
Filed : January 20, 2005
Title : METHOD AND SYSTEM FOR MANAGING COMMUNICATION
IN EMERGENCY COMMUNICATION SYSTEM
TC/A.U. : 2617
Examiner : Herrera, Diego D.
Docket No. : 100101-004800US
Confirmation : 9328

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

AMENDMENT

Examiner:

In response to the Office Action mailed July 28, 2006, please amend the above-identified application as follows:

Amendments to the Specification none.

Amendments to the Claims are shown in the listing of claims which begins on page 2 of this paper.

01 FC:1202

50.00 00

Amendments to the Drawings none.

Remarks/Arguments begin on page 8 of this paper.

PTO/SB/17 (01-06)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 50.00

Complete if Known

Application Number	11/039,569
Filing Date	January 20, 2005
First Named Inventor	Cullen Jennings
Examiner Name	Herrera, Diego D.
Art Unit	2617
Attorney Docket No.	100101-004800US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 50-3000 Deposit Account Name: Trellis Law Group, PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims 21 - 20 or HP = 1 x 50 = 50

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims 3 or HP = 3 x 200 = 600

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>21</u> - 100 = <u>11</u>	<u>11</u> / 50 = <u>0.22</u>	<u>0.22</u> (round up to a whole number) x <u>1</u>	<u>125</u>	<u>125</u>

4. OTHER FEE(S)

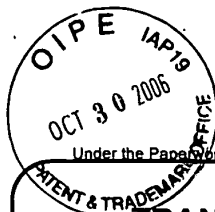
Description	Fee (\$)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	<u>130</u>	
Other (e.g., late filing surcharge):		

SUBMITTED BY

Signature	Registration No. (Attorney/Agent) <u>48,602</u>	Telephone <u>650-842-0300</u>
Name (Print/Type) <u>Brian N. Young</u>	Date <u>October 26, 2006</u>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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.



Handwritten initials

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	11/039,569	
	Filing Date	January 20, 2005	
	First Named Inventor	Cullen Jennings	
	Art Unit	2617	
	Examiner Name	Herrera, Diego D.	
Total Number of Pages in This Submission	12	Attorney Docket Number	100101-004800US

ENCLOSURES (Check all that apply)		
☒ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to TC
☒ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☒ Amendment/Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Power of Attorney, Revocation	☐ Status Letter
☐ Extension of Time Request	☐ Change of Correspondence Address	☒ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Terminal Disclaimer	Postcard
☐ Information Disclosure Statement	☐ Request for Refund	
☐ Certified Copy of Priority Document(s)	☐ CD, Number of CD(s) _____	
☐ Reply to Missing Parts/Incomplete Application	☐ Landscape Table on CD	
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Trellis Intellectual Property Law Group, PC	
Signature		
Printed name	Brian N. Young	
Date	October 26, 2006	Reg. No. 48,602

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Sherry Sutterfield	Date October 26, 2006

This collection of information is required by 37 CFR 1.5. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first channel from amongst the plurality of channels at the emergency communication system;

receiving at least one second message on channels other than the first channel from amongst the plurality of channels at the emergency communication system, the second message overlapping with the first message in time;

determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

playing the message having a higher priority between the first and the second message;

storing at least one message having a lower priority between the first and the second message based on the determination; and

playing the stored message subsequent to completing playing of the message having higher priority.

2. (Original) The method of claim 1, wherein the playing the message having a higher priority comprises prioritizing the received messages based on at least one predefined parameter.

3. (Original) The method of claim 2, wherein the prioritizing comprises:
calculating the priorities of the received messages; and
comparing the priorities of the received messages.

4. (Original) The method of claim 2, wherein the predefined parameter comprises a bandwidth requirement of the received messages.

5. (Original) The method of claim 2, wherein the predefined parameter comprises a type of the received messages.

6. (Original) The method of claim 5, wherein the type of received messages being one of a group comprising audio, video, text, and image.

7. (Original) The method of claim 3, wherein the calculating the priorities comprises assigning priorities to the received messages based on inputs from a user.

8. (Original) The method of claim 1, further comprising informing an operator the time of receipt of a message while playing the message.

9. (Original) The method of claim 1, wherein a message includes voice over internet protocol communications.

10. (Original) The method of claim 1, wherein a message includes mobile phone communications.

11. (Original) The method of claim 1, wherein a message includes radio communications.

12. (Currently amended) A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first channel from amongst the plurality of channels at an emergency communication system;

receiving at least one second message on at least one channel from amongst the plurality of channels at the emergency communication system, the second message overlapping with the first message in time;

prioritizing the received message based on at least one predefined parameter;

determining which message out of the first message and the at least one second message should be stored and subsequently played based on the second message

overlapping with the first message in time and one or more priorities assigned to the first and the second message

playing the message having the highest priority;

storing the message having lower priority in a queue on the basis of the

determination and the prioritization;

checking periodically the status of the message being played; and

playing the stored message having the highest priority.

13. (Currently amended) The method of claim 12 further comprising
informing a user the time of receipt of a message while ~~plying~~playing the message.

14. (Currently amended) An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

means for receiving a plurality of messages on the plurality of channels;

means for playing a received messages having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

means for prioritizing the received plurality of messages based on the predefined parameter;

means for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

means for sending a message for playing based on the associated priority; and

means for storing the messages other than the one sent for playing in a queue based upon the associated priority.

15. (Currently amended) An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

a receiver module for receiving~~configured to receive~~ a plurality of messages on the plurality of channels;

a player module ~~for playing~~configured to play a received message having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

a central conferencing system comprising:

a prioritizing module ~~for prioritizing~~configured to prioritize the plurality of messages based on the predefined parameter;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a sender module ~~for sending~~configured to send a message for playing based on the associated priority; and

a storage medium ~~for storing~~configured to store the messages in a queue based upon the associated priority and the determination.

16. (Original) The emergency communication system of claim 15, wherein the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages; and

a comparison module for comparing the priorities of the plurality of received messages.

17. (Original) The emergency communication system of claim 15, wherein the central conferencing system further comprises an alert module for informing an operator the time of receipt of a message while playing the message.

18. (Currently amended) A central conferencing system for managing a plurality of messages received by an emergency communication system, the emergency communication system receiving the messages on a plurality of channels and comprising a player module for playing the messages, the central conferencing system comprising:

a prioritizing module for prioritizing the received messages based on at least one predefined parameter, the prioritizing module comprises:

a priority calculator for calculating the priority of the received messages; and

a comparison module for comparing the priorities of the plurality of received messages;

a sender module for sending the messages with the highest priority to the player module for playing;

a determiner configured to determine which messages out of the received messages should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message;

a storage module for storing the messages from amongst the plurality of messages that are not being played; and

an alert module for informing a user the time of receipt of a message while playing the message.

19. (Currently amended) An apparatus for managing communication in an emergency communication system, the emergency communication system receiving messages on a plurality of channels, the apparatus comprising:

a processing system including a processor coupled to a display and user input device; and

a machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels;

one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message

one or more instructions for storing at least one message having a lower priority; and

one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

20. (Currently amended) A machine-readable medium including instructions executable by the processor comprising:

one or more instructions for receiving a plurality of messages on the plurality of channels;

one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

one or more instructions for determining which messages out of the received messages should be stored and subsequently played based on messages overlapping in time and one or more priorities assigned to the first and the second message;

one or more instructions for storing at least one message having a lower priority; and

one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

21. (new) The method of claim 1, wherein playing the message comprises playing the message having a higher priority between the first and second message without storing the message having the higher priority if no other message is being played

REMARKS/ARGUMENTS

Upon entry of this Amendment which amends claims 1, 12-15, and 18-20, and adds new claim 21, claims 1-21 will be pending. In the Office Action, claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cheng (U. S. Patent Publication No. 2005/0215229 A1) in view of Uchida (U. S. Patent No. 6,249,231 B1).

Applicants respectfully request reconsideration of the claims in view of the amendments above and remarks below.

Claim Objections

Claim 13 was objected to because of informalities. In response, applicants have amended claim 13 to correct the typographical error.

Section 103 Rejections

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over Cheng in view of Uchida. Applicant submits that Cheng and Uchida, either alone or in combination, do not disclose or suggest every element of claim 1, as amended. For example, Cheng and Uchida fail to disclose or suggest determining which message out of the first message and the second message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities assigned to the first and the second message.

Cheng discloses a method of managing communications in a call processing system. As shown in Fig. 3 of Cheng, a call is received and information for the call is stored in a first waiting buffer 32. These calls are processed in a first in-first out manner and then inserted in buffers 361, 362, and 36n. Buffers 361, 362, and 36n are assigned different priorities. The calls are then processed out of these buffers in priority. In Cheng, a call is received from a user and then the user disconnects. The emergency call center then calls the user back when its call is processed from one of the priority queues 36n.

Uchida discloses a radio paging receiver that stores messages into directories corresponding to paging numbers. These stored messages are then displayed from a particular directory based on a preferential ranking.

Applicant submits that Uchida and Cheng, either alone or in combination, do not disclose or suggest determining which message out of the first message and the second

message should be stored and subsequently played based on the second message overlapping with the first message in time and one or more priorities associated with the messages. In Uchida, pages are received and stored in folders based on the paging numbers that they are received from. See *Uchida*, abstract. Thus, the numbers are stored in the directories based on the number for a sender of a message. Uchida does not disclose or suggest storing the pages based on an overlapping in pages in time.

Also, in Cheng, there is no disclosure that the messages received overlap in time. In Cheng, emergency calls are received and stored in a waiting buffer. The user then disconnects and waits for the emergency call center to call back. Cheng does not disclose or suggest that these calls overlap. Cheng stores information in all calls in a first in-first out buffer. Then, calls are stored in buffers 36n based on a priority. Cheng does not disclose or suggest determining which message should be stored and played subsequent based on the second message overlapping with the first message in time and a priority assigned each of the first and the second message. Rather, messages are always stored in Cheng and Cheng does not disclose or suggest making the determination based on an overlap in time. The messages are first stored in the FIFO and then stored in buffers 36n based on a priority desired. Because the users in Cheng hang up and are called back, it would not have been obvious to make the above determination because Cheng may not expect overlap. Even if overlap did exist (Cheng does not disclose this however), the above determination is not made in Cheng because the messages are always stored and then moved to a priority buffer. Thus, the combination of Cheng and Uchida may store messages or pages but this storing is not performed based on any determination that the messages or pages overlap in time or the priority of the messages or pages.

Further, applicant submits that it would not have been obvious to combine Cheng and Uchida. Uchida is directed towards a paging system that stores the messages in dedicated folders. Nowhere in Cheng is it disclosed or suggested that the emergency communications system could incorporate a paging receiver with the folders as discussed in Uchida. Further, nowhere in Uchida is it contemplated that an emergency communications system could be used.

Applicant also submits that Uchida is non-analogous art. For example, claim 1 recites that the first and at least second message are received at the emergency communications system. Uchida discusses a radio-paging receiver and does not disclose or suggest any sort of emergency communications system.

Accordingly, applicants respectfully request withdrawal of the rejection of claim 1. Claims 2-11 and 21 depend from claim 1 and thus derive patentability at least therefrom. Accordingly, applicant respectfully requests withdrawal of the rejections of claims 2-11 and 21. These claims also recite additional non-obvious and novel features. For example, claim 21 recites playing the message having a higher priority between the first and second message without storing the message having the higher priority if no other message is being played. In Cheng and Uchida, the messages are always stored. Accordingly, applicant submits Cheng and Uchida do not disclose or suggest claim 21.

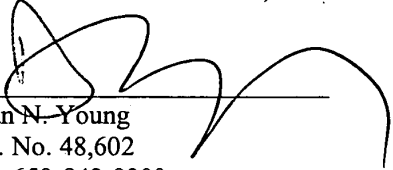
Applicant submits that claims 12-20 should be allowable for at least a similar rationale as discussed with respect to claim 1.

Applicant respectfully submits that the present claims are in condition for allowance and an early Notice of Allowance is earnestly sought. The undersigned may be contacted at the telephone number below at the Examiner's convenience if it would help in the prosecution of this matter.

Respectfully submitted,

TRELLIS INTELLECTUAL
PROPERTY LAW GROUP, PC

Date: October 26, 2006

By 
Brian N. Young
Reg. No. 48,602
Tel.: 650-842-0300

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/039,569		Filing Date 01/20/2005		☐ To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY ☐ OR		OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	OR	RATE (\$)	FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =			X \$ =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL				
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			(Column 3)		SMALL ENTITY OR OTHER THAN SMALL ENTITY		
AMENDMENT	10/30/2006	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 21	Minus	** 20	= 1	X \$ =		OR	X \$50= 50	
	Independent (37 CFR 1.16(h))	* 7	Minus	***7	= 0	X \$ =		OR	X \$200= 0	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	50	
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

Legal Instrument Examiner:
Vikki Short

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/039,569	01/20/2005	Cullen Jennings	100101-004800US	9328

37490 7590 07/28/2006

Trellis Intellectual Property Law Group, PC
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

EXAMINER

HERRERA, DIEGO D

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/28/2006

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

Office Action Summary	Application No.	Applicant(s)	
	11/039,569	JENNINGS, CULLEN	
	Examiner	Art Unit	
	Diego Herrera	2617	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 20 January 2005.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ 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

4) ☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

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

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 20 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) ☐ Notice of Informal Patent Application (PTO-152) 6) ☐ Other: _____.
---	--

DETAILED ACTION

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Claim Objections

Claim 13 is objected to because of the following informalities: misspelling on the word "playing". Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. 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.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng (US publication 2005/0215229 A1), and in view of Uchida (US PATENT 6249231 B1).

1. Regarding claims 1, 14-15, & 19-20, Cheng discloses a method of managing communication in an emergency communication system (title, abstract, fig. 4a-5c),

the emergency communication system receiving messages from a plurality of channels (paragraphs [0008]-[0009], [0011]-[0012], Cheng teaches an emergency call center, hence, receiving messages from a plurality of channels), the method comprising:

- a. Receiving a first message on a first channel form amongst the plurality of channels (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);
- b. Receiving at least one second message on channels other than the first channel from amongst the plurality of channels, the second message overlapping with the first message in time (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);
- c. However, Cheng does not specifically discloses the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.
- d. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2 lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining information about situation having caller information and then sending receipt of message or information received and that it will be processed according to priority); and playing the stored message subsequent to completing playing of the message

having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida teaches the playing of stored message).

- e. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cheng to specifically store at least one message having a lower priority between the first and second message and playing the stored message subsequent to completing playing of the message having higher priority as taught by Uchida for the purposes of processing the calls in a more efficient way.

2. Regarding claim 12, Cheng discloses a method of managing communication in an emergency communication system abstract, call processing system center, paragraph [0008]), the emergency communication system receiving messages from a plurality of channels (paragraphs [0008]-[0009], [0011]-[0012], Cheng teaches an emergency call center, hence, receiving messages from a plurality of channels), the method comprising:

- a. Receiving a first message on a first channel from amongst the plurality of channels (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);
- b. Receiving at least one second message on at least one channel from amongst the plurality of channels, the second message overlapping with the first message in time (paragraphs [0024]-[0026], Cheng teaches receiving message, being sorted and then prioritized);

- c. Prioritizing the received message based on at least one predefined parameter (paragraphs [0025]-[0027], Cheng teaches the priority assigning system and method for prioritizing and sorting calls that come in to the call center based on parameters);
- d. Playing the message having the highest priority (paragraphs [0030]-[0031], Cheng teaches message with information about the call message with highest priority being send to operators that will act according to emergency);
- e. Checking periodically the status of the message being played (fig. 5a, paragraph [0028], Cheng teaches monitoring of status of call and message);
- f. However, Cheng does not specifically discloses the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.
- g. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2 lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining information about situation having caller information and then sending receipt of message or information received and that it will be processed according to priority); and playing the stored message subsequent to completing playing of the message having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida teaches the playing of stored message).

- h. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cheng to specifically store at least one message having a lower priority between the first and second message and playing the stored message subsequent to completing playing of the message having higher priority as taught by Uchida for the purposes of processing the calls in a more efficient way.
- 3. Regarding claim 18, Cheng discloses a central conferencing system (abstract, call processing system center, paragraph [0008]) for managing a plurality of messages received by an emergency communication system, the emergency communication system receiving the messages on a plurality of channels and comprising a player module for playing the messages (paragraphs [0008]-[0009], [0011]-[0012], Cheng teaches an emergency call center, hence, receiving messages from a plurality of channels), the central conferencing system comprising:
 - a. A prioritizing module for prioritizing the received messages based on at least one predefined parameter (abstract, title, paragraphs [0025]-[0028], Cheng teaches prioritizing system for messages based on parameters), the prioritizing module comprises:
 - i. A priority calculator for calculating the priority of the received messages (paragraphs [0025]-[0028], Cheng teaches assignment of priority); and
 - ii. A comparison module for comparing the priorities of the plurality of received messages (paragraphs [0024]-[0028], Cheng teaches the

processing system in place for prioritizing and sorting a plurality of calls based on parameters set by system);

- b. A sender module for sending the messages with the highest priority to the player module for playing (paragraphs [0030]-[0031], Cheng teaches message with information about the call message with highest priority being send to operators that will act according to emergency);
- c. An alert module for informing a user the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an operator of emergency data and information pertaining to call while playing message, such as time constraints).
- d. However, Cheng does not specifically discloses the storing of at least one message having a lower priority between the first and the second message and playing the stored message subsequent to completing playing of the message having higher priority.
- e. Nevertheless, Uchida teaches storing at least one message having a lower priority between the first and the second message (col. 1 lines: 47-67, col. 2 lines: 1-2, & 17-23, Uchida teaches storing the call and obtaining information about situation having caller information and then sending receipt of message or information received and that it will be processed according to priority); and playing the stored message subsequent to completing playing of the message having higher priority (col. 3 lines: 12-25, col. 4 lines: 20-23, & 29-32, Uchida teaches the playing of stored message).

- f. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cheng to specifically store at least one message having a lower priority between the first and second message and playing the stored message subsequent to completing playing of the message having higher priority as taught by Uchida for the purposes of processing the calls in a more efficient way.
- 4. Consider claim 2, and as applied to claim 1 above, the combination of Cheng and Uchida disclose wherein the playing the message having a higher priority comprises prioritizing the received messages based on at least one predefined parameter (paragraphs [0025]-[0027], Cheng teaches the priority assigning system and method for prioritizing and sorting calls that come in to the call center based on parameters).
- 5. Consider claim 3, and as applied to claim 2 above, the combination of Cheng and Uchida disclose wherein the prioritizing comprises:
 - a. Calculating the priorities of the received messages; and comparing the priorities of the received messages (paragraphs [0024]-[0027], Cheng teaches the priority assigning system and method for prioritizing and sorting calls that come in to the call center).
- 6. Consider claim 4, and as applied to claim 2 above, the combination of Cheng and Uchida disclose wherein the predefined parameter comprises a bandwidth requirement of the received messages (paragraph [0004] & [0010]-[0011], Cheng teaches data communication networks; hence, bandwidth settings being used).

7. Consider claim 5, and as applied to claim 2 above, the combination of Cheng and Uchida disclose wherein the predefined parameter comprises a type of the received messages (paragraph [0026], Cheng teaches the different types of received messages being received by central processing call center).
8. Consider claim 6, and as applied to claim 5 above, the combination of Cheng and Uchida disclose wherein the type of received messages being one of a group comprising audio, video, text, and image (paragraph [0026], Cheng teaches the different types of received messages being received by central processing call center).
9. Consider claim 7, and as applied to claim 3 above, the combination of Cheng and Uchida disclose wherein the calculating the priorities comprises assigning priorities to the received messages based on inputs from a user (paragraphs [0025]-[0027], Cheng teaches the priority assigning system and method for prioritizing calls that come in to the call center).
10. Consider claim 8, and as applied to claim 1 above, the combination of Cheng and Uchida disclose further comprising informing an operator the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an operator of emergency data and information pertaining to call while playing message, such as time constraints).
11. Consider claim 9, and as applied to claim 1 above, the combination of Cheng and Uchida disclose wherein a message includes voice over Internet protocol

communications (paragraph [0028]-[0029], Cheng teaches sending a SMS message as receipt of information being received, hence VOIP being used).

12. Consider claim 10, and as applied to claim 1 above, the combination of Cheng and Uchida disclose wherein a message includes mobile phone communications (Cheng-abstract).

13. Consider claim 11, and as applied to claim 1 above, the combination of Cheng and Uchida disclose wherein a message includes radio communications (abstract, Uchida teaches radio communication for relating to prioritizing data).

14. Consider claim 13, and as applied to claim 12 above, the combination of Cheng and Uchida disclose further comprising informing a user the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an operator of emergency data and information pertaining to call while playing message, such as time constraints).

15. Consider claim 16, and as applied to claim 15 above, the combination of Cheng and Uchida disclose wherein the prioritizing module comprises:

- a. A priority calculator for calculating the priority of the received messages; and a comparison module for comparing the priorities of the plurality of received messages (paragraphs [0025]-[0027], Cheng teaches the processing system and method by emergency call center to determine priority amongst a plurality of calls).

16. Consider claim 17, and as applied to claim 15 above, the combination of Cheng and Uchida disclose wherein the central conferencing system further comprises an alert

module for informing an operator the time of receipt of a message while playing the message (paragraphs [0007], & [0026]-[0027], Cheng teaches informing an operator of emergency data and information pertaining to call while playing message, such as time constraints).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Hamilton, "radio interoperability system", (US publication 2005/0170808 A1).
- Katzenstein, "programmable memory for an encoding system", (US PATENT 5245332).
- Childress et al., "operating a trunked communication system in transmission and message trunked modes", (US PATENT 5864762).
- Katsube et al., "communication terminal equipment", (US publication 20050233726 A1).
- Yang et al., "emergency call system and control method thereof", (US publication 20050197096 A1).
- Lin, "congestion control system and method for efficient multi-frequency messaging", (US PATENT 5740533).
- Tsai et al., "transmit power control based on virtual decoding", (US publication 20030224836 A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diego Herrera whose telephone number is (571) 272-0907. The examiner can normally be reached on Monday-Friday, 6:30AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid G. Lester can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DH


LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER

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

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	
		Filing Date	January 20, 2005
		First Named Inventor	Cullen Jennings
		Group Art Unit	
		Examiner Name	
		Attorney Docket Number	100101-004800US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
DH	—	Arinc, "ARINC Demo Shows How Police, Fire, EMS, and Authorities Can All Communicate" (from ARINC NEWS), March 23, 2004 (Release: 04-68), 2 pages.	—
DH	—	(www.911dispatch.com), "Typical Public Safety Comm Centers", updated 9/3/03, 5 pages.	—

Examiner Signature	/Diego Herrera/	Date Considered	06/14/2006
--------------------	-----------------	-----------------	------------

* EXAMINER: Initial if reference 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.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Notice of References Cited	Application/Control No. 11/039,569	Applicant(s)/Patent Under Reexamination JENNINGS, CULLEN	
	Examiner Diego Herrera	Art Unit 2617	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,864,762	01-1999	Childress et al.	455/509
*	B	US-5,245,332	09-1993	Katzenstein, Henry S.	340/10.52
*	C	US-2005/0170808	08-2005	Hamilton, Gordon E.	455/404.1
*	D	US-2005/0233726	10-2005	Katsube et al.	455/404.1
*	E	US-2005/0197096	09-2005	Yang et al.	455/404.1
*	F	US-2005/0215229	09-2005	Cheng, Steven D.	455/404.1
*	G	US-5,740,533	04-1998	Lin, Jyh-Han	340/7.42
*	H	US-6,249,231	06-2001	Uchida, Jun	340/7.52
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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



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



Bib Data Sheet

CONFIRMATION NO. 9328

SERIAL NUMBER 11/039,569	FILING OR 371(c) DATE 01/20/2005 RULE	CLASS 455	GROUP ART UNIT 2617	ATTORNEY DOCKET NO. 100101-004800US	
APPLICANTS Cullen Jennings, San Jose, CA;					
** CONTINUING DATA ***** _____ → NONE D.H. 7/21/06					
** FOREIGN APPLICATIONS ***** _____ → NONE D.H. 7/21/06					
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 03/03/2005					
Foreign Priority claimed ☐ yes ☒ no 35 USC 119 (a-d) conditions ☐ yes ☐ no ☐ Met after met Verified and Acknowledged <u>Diego Herrera D.H.</u> Examiner's Signature Initials		STATE OR COUNTRY CA	SHEETS DRAWING 2	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 7
ADDRESS 37490					
TITLE Method and system for managing communication in emergency communication system					
FILING FEE RECEIVED 1800	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		

Search Notes 	Application/Control No.		Applicant(s)/Patent under Reexamination	
	11/039,569		JENNINGS, CULLEN	
	Examiner		Art Unit	
	Diego Herrera		2617	

SEARCHED			
Class	Subclass	Date	Examiner
455	404.1	7/21/2006	DH

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR
talked to fred casca, julio ramirez about application and revelant places to look for ref.	7/21/2006	DH
talked to Lester Kincaid, about case and other formalities	7/17/2006	DH
east text search, keyword and class/subclass search	7/21/2006	DH

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	9	(US-20060148423-\$).did. or (US-6249231-\$ or US-6131037-\$ or US-5918182-\$ or US-5864762-\$ or US-5745481-\$ or US-5740533-\$ or US-5740532-\$ or US-5596318-\$). did.	US-PGPUB; USPAT	OR	ON	2006/07/24 06:41
L2	1	10/161143	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/24 06:41
L3	5	("4786901" "4949085" "5177477" "5396264" "5430440").PN. OR ("6249231").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2006/07/24 08:43
L4	1	60/540149	US-PGPUB; USPAT; USOCR	OR	ON	2006/07/24 08:43
L5	1	60/563316	US-PGPUB; USPAT; USOCR	OR	ON	2006/07/24 08:44
S1	98	("6348856" "5430440" "4905302" "4939746" "5274837" "5483670" "5574788" "5864762" "4788543" "5387905" "5740532" "5857144" "5918182" "6275966" "6545995" "5479408" "5740533" "5745481" "4582280" "5678175" "5740541" "6131037" "5734963" "6466790" "4914434" "4354252" "5740235" "5809018" "6559753" "5758291" "5596318" "4839749" "5257399" "5978371" "6249231" "4758834" "4922221" "6102491" "6138027" "5469472" "6115365" "5237570" "5297142" "6097717" "6169880" "4319353" "4320504" "4330857" "4554677" "4553723").pn.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 13:12
S2	32	S1 and "455"/\$.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 13:50
S3	1	S1 and 455/404.1.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:09

EAST Search History

S4	86	("3292178" "3458664" "3571519" "3696210" "3801956" "3898390" "3906166" "3936616" "3970801" "4001693" "4010327" "4012597" "4022973" "4027243" "4029901" "4128740" "4131849" "4184118" "4231114" "4267593" "4309772" "4312070" "4312074" "4322576" "4326264" "4339823" "4347625" "4360927" "4369443" "4382298" "4392242" "4400585" "4409687" "4411017" "4418425" "4430742" "4430755" "4433256" "4434323" "4450573" "4485486" "4534061" "4578815" "4608712" "4649567" "4658435" "4663765" "4672601" "4694473" "4698805" "4701944" "4716407" "4723264" "4757536" "4771448" "4811420" "4817190" "4821292" "4837858" "4903321" "4905302" "4939746" "5086507" "5117501" "5125102" "5175866" "5214790" "5274837" "5274838" "5305384" "5365590" "5369783").PN. OR ("5574788").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2006/07/21 14:05
S5	529	455/404.1.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:09
S6	2	S5 and (plurality multiple many) and (messages near3 different near5 (channels path))	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:12
S7	1	S5 and (plurality multiple many) and (messages near3 different near5 (channels path)) and priority	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:12
S8	143	S5 and (plurality multiple many near5 messages near3 different near5 (channels path)) and priority	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:30

EAST Search History

S9	425	S5 and (plurality multiple many near5 messages near3 different near5 (channels path)near5 priority)	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:13
S10	0	S9 and (bandwidth) and (audio and text and image) and (time near receipt near message) and (voip "voice over IP") and (rf) and wireless and communication	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:15
S11	1	S9 and (bandwidth) and (audio and text and image) and (time near receipt near message) and (voip "voice over IP")	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:15
S12	0	S11 not S7	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:15
S13	41	S5 and receiv\$3 near5 (plurality multiple many near5 messages near3 different near5 (channels path)) and priority	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:33
S14	0	S5 and receiv\$3 near3 (plurality multiple) near5 messages near3 different near5 (channels path) and priority	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:34
S15	9	S5 and receiv\$3 near3 (plurality multiple) near5 messages and priority	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2006/07/21 14:34

PLUS Search Results for S/N 11039569, Searched July 18, 2006

The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present. PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

6348856
5430440
4905302
4939746
5274837
5483670
5574788
5864762
4788543
5387905
5740532
5857144
5918182
6275966
6545995
5479408
5740533
5745481
4582280
5678175
5740541
6131037
5734963
6466790
4914434
4354252
5740235
5809018
6559753
5758291
5596318
4839749
5257399
5978371
6249231
4758834
4922221
6102491
6138027
5469472
6115365
5237570
5297142
6097717
6169880
4319353
4320504
4330857
4554677
4553723



TFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	11/039,569
	Filing Date	January 20, 2005
	First Named Inventor	Cullen Jennings
	Art Unit	Unassigned
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	100101-004800US

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to TC
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☐ Amendment/Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☒ Power of Attorney, Revocation Change of Correspondence Address	☐ Status Letter
☐ Extension of Time Request	☐ Terminal Disclaimer	☒ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Request for Refund	Postcard
☐ Information Disclosure Statement	☐ CD, Number of CD(s) _____	
	☐ Landscape Table on CD	
☐ Certified Copy of Priority Document(s)	Remarks	
☐ Reply to Missing Parts/Incomplete Application	Please apply any appropriate charges or credits to Deposit Account No. 50-3000	
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Trellis Intellectual Property Law Group, PC	
Signature		
Printed name	Charles J. Kulas	
Date	April 5, 2006	Reg. No. 35,809

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Joan L. Belcinski	Date April 5, 2006

This collection of information is required by 37 CFR 1.5. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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



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:

37490

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:

37490

OR

☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

Assignee Name and Address:

Cisco Technology, Inc.
170 W. Tasman Drive
San Jose, CA 95134

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

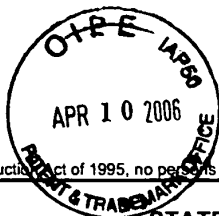
Signature		Date	February 8, 2006
Name	Mallun Yen	Telephone	408-527-4213
Title	Managing Director Worldwide Intellectual Property		

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.

100101-004800US

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.



PTO/SB/96 (09-04)
 Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Cullen JenningsApplication No./Patent No.: 11/039,569 Filed/Issue Date: January 20, 2005

Entitled:

Cisco Technology, Inc., a Corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

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 interest 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 016202, Frame 0965, or for which a copy thereof is attached.

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: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[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, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Charles J. Kulas

Printed or Typed Name

Reg. No. 35,809

Title

April 5, 2006

Date

650-842-0300

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. 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.

PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number

110 3 956.5

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	20	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	20 minus 20 =	* -
INDEPENDENT CLAIMS	7 minus 3 =	* 4
MULTIPLE DEPENDENT CLAIM PRESENT ☐		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

7/5/08

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 20	Minus ** -	= -
Independent	* 7	Minus *** -	= -
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	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	
X200=	800
+360=	
TOTAL	1100

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDI-TIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$50=	-
X200=	-
+360=	-
TOTAL ADDIT. FEE	-

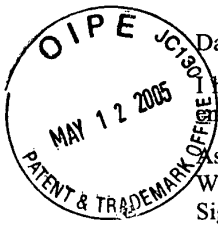
RATE	ADDI-TIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDI-TIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

IFW



Date: May 10, 2005

I hereby certify that this is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

Signed: _____

Sherry Sutterfield

Appl. No. : 11/039,569
Applicant : Jennings, Cullen
Filed : January 20, 2005
Title : METHOD AND SYSTEM FOR MANAGING
COMMUNICATION IN EMERGENCY COMMUNICATION
SYSTEM
TC/A.U. : 2681
Examiner : n/a
Docket No. : 100101-004800US (10112)

Honorable Commissioner for Patents
Washington DC 20231

PRELIMINARY AMENDMENT

Examiner:

Prior to examination of the above-referenced application please enter the following amendments as follows:

Amendments to the Specification: None

Amendments to the Claims None.

Amendments to the Drawings: are shown beginning on page 2 of this paper and include 5 replacement sheets.

Remarks/Arguments begin on page 3 of this paper.

REMARKS / ARGUMENTS

The originally-submitted sheets of drawings were sent in error. They are an earlier form of the drawings and include 3 of 5 Figures included in the replacement sheets.

The Figures on the replacement sheets are fully supported by the originally-filed specification in regard to all content including depicted items, reference numbers, Figure numbering and other details. Applicant hereby declares that the substitution of the replacement sheets adds no new matter to this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-279-5098.

Respectfully submitted,

5-10-05
Date


Charles J. Kulas
Reg. No. 35,809
Tel: 415-279-5098

In the Drawings:

Five replacement sheets including Figures 1-5 are included. These sheets replace all of the originally-submitted sheets of which there were two, including Figures 1-3. The replacement sheets are in accordance with the specification as Figures 1-5 are listed in the Brief Description of the Drawings section and are accordingly discussed in the specification.

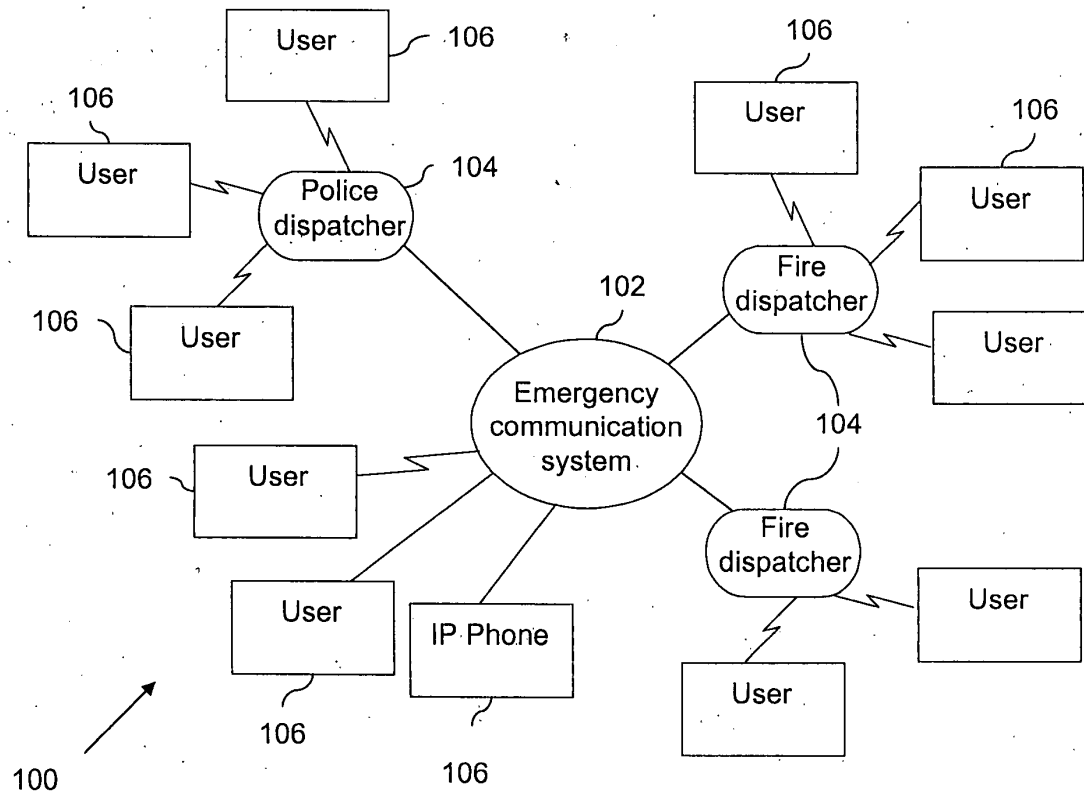


FIG. 1

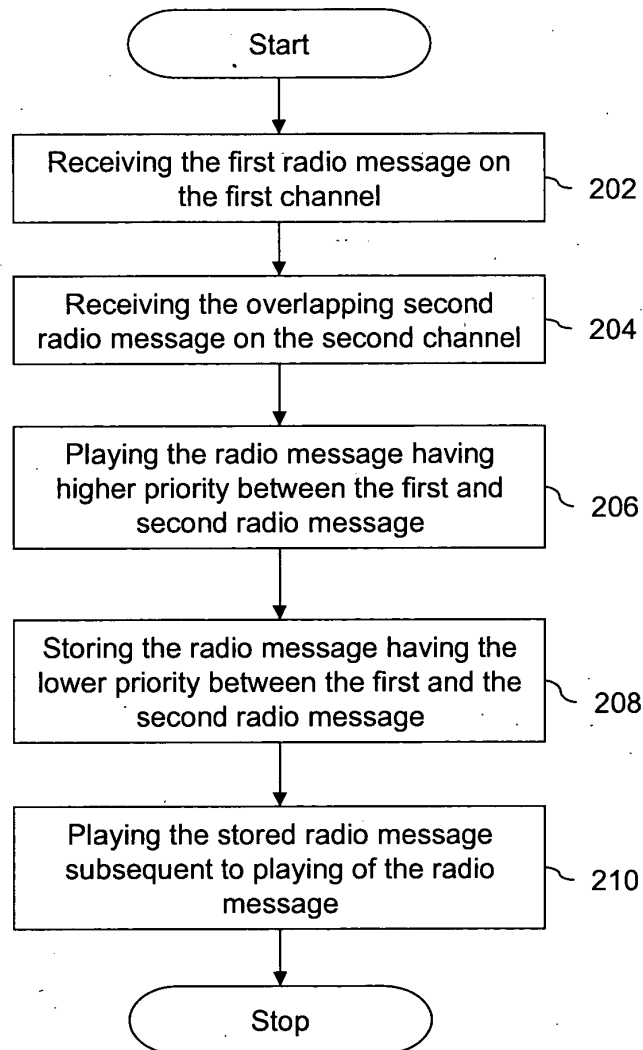


FIG. 2

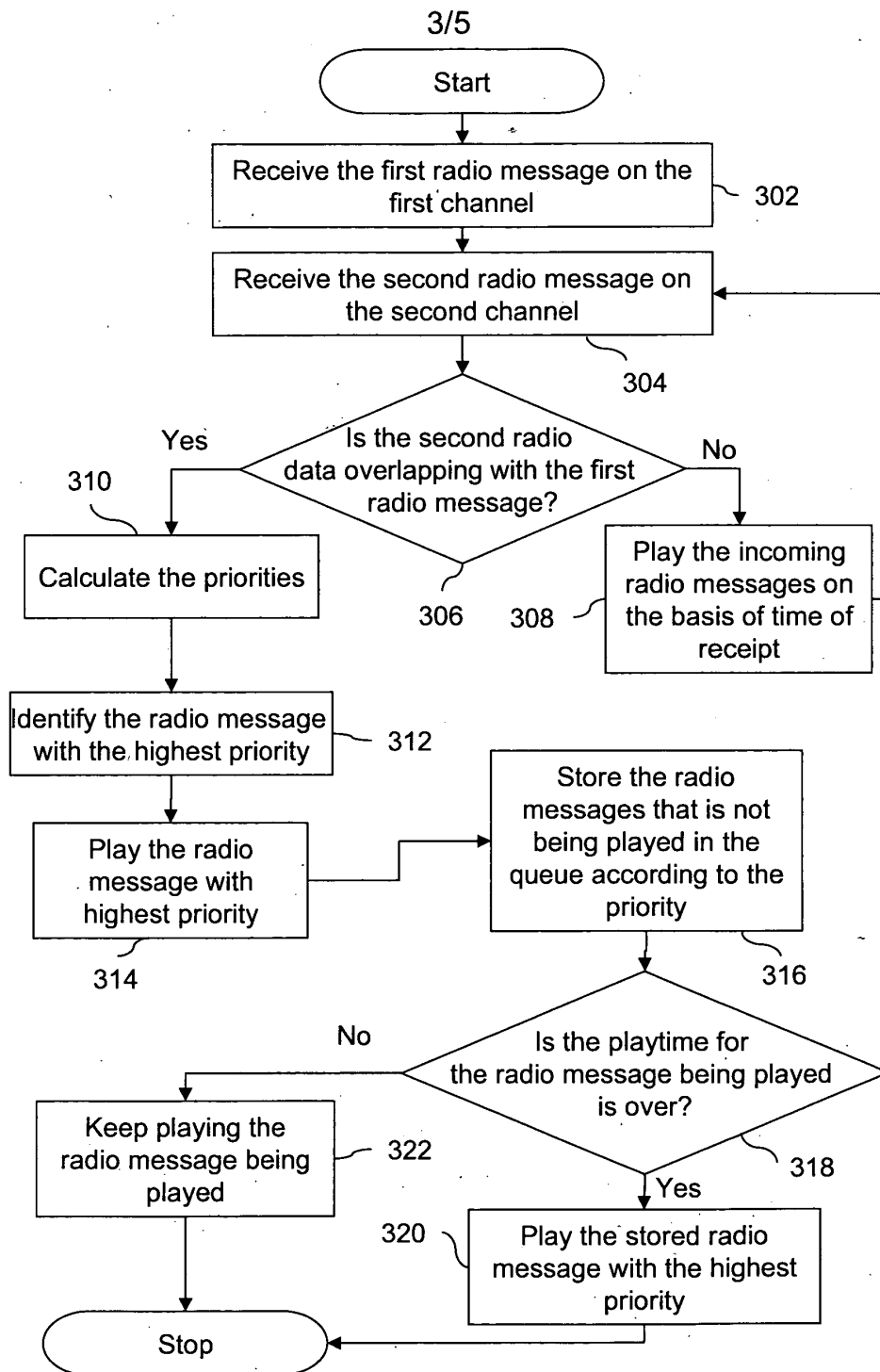


FIG. 3

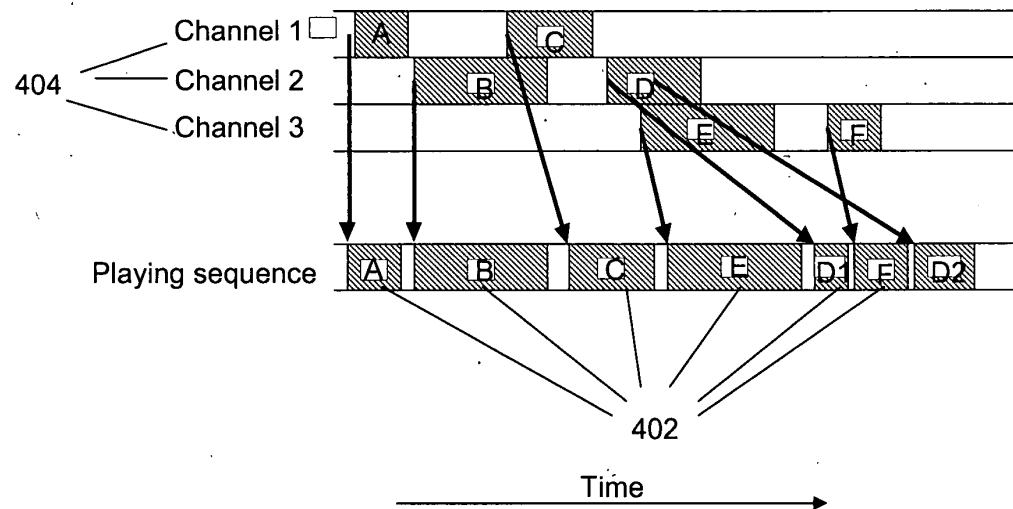


FIG. 4

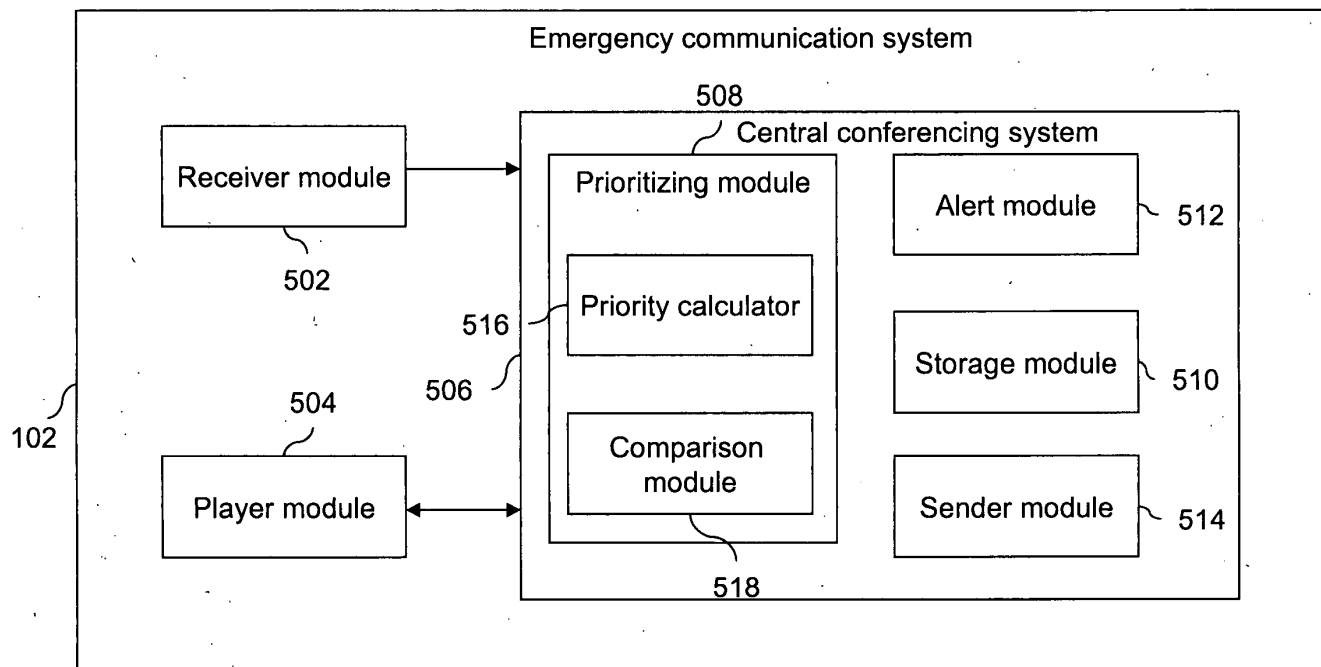


FIG. 5



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	ATTORNEY DOCKET NUMBER
11/039,569	01/20/2005	Cullen Jennings	100101-004800US

CONFIRMATION NO. 9328

37490
CARPENTER & KULAS, LLP
1900 EMBARCADERO ROAD
SUITE 109
PALO ALTO, CA 94303

FORMALITIES LETTER



OC000000015346813

Date Mailed: 03/07/2005

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 4 & 5 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$400.00 petition fee (37 CFR 1.17(f))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$400.00 petition fee (37 CFR 1.17(f)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(f)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

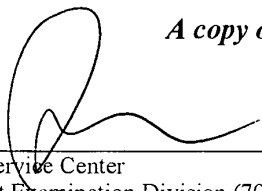
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

21861 US-PTO
012005

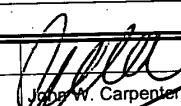
PTO/SB/05 (09-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	100101-004800US
	First Inventor	Cullen Jennings
	Title	METHOD AND SYSTEM FOR MANAGING
	Express Mail Label No.	EV 587371085 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) ☐ Applicant claims small entity status. See 37 CFR 1.27. ☒ Specification [Total Pages <u>22</u>] Both the claims and abstract must start on a new page (For information on the preferred arrangement, see MPEP 608.01(a)) ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>] ☒ Oath or Declaration [Total Sheets <u>2</u>] ☒ Newly executed (original or copy) ☐ A copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). ☒ Application Data Sheet. See 37 CFR 1.76 ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) ☐ Landscape Table on CD Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. - c. are required) ☐ Computer Readable Form (CRF) - Specification Sequence Listing on: ☐ CD-ROM or CD-R (2 copies); or ☐ Paper ☐ Statements verifying identity of above copies	ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450 ACCOMPANYING APPLICATION PARTS ☒ Assignment Papers (cover sheet & document(s)) Name of Assignee <u>Cisco Technology, Inc.</u> ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee) ☐ English Translation Document (if applicable) ☒ Information Disclosure Statement (PTO/SB/08 or PTO-1449) ☒ Copies of citations attached ☐ Preliminary Amendment ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized) ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed) ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. ☐ Other: _____
---	--

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
 Prior application information: Examiner: _____ Art Unit: _____

19. CORRESPONDENCE ADDRESS					
☒ The address associated with Customer Number:		37490		OR ☐ Correspondence address below	
Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	
Signature 				Date January 20, 2005	
Name (Print/Type) John W. Carpenter				Registration No. (Attorney/Agent) 26,447	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. 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.

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.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,840.

Complete if Known

Application Number
Filing Date January 20, 2005
First Named Inventor Cullen Jennings
Examiner Name
Art Unit
Attorney Docket No. 100101-004800US

METHOD OF PAYMENT (check all that apply)

- ☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 503000 Deposit Account Name: Carpenter & Kulas, LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	1,000.
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
20 - 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
7 - 3 or HP =	4 x	200 = 800.
HP = highest number of independent claims paid for, if greater than 3.		
		Multiple Dependent Claims
		Fee (\$)
		Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

24 - 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Recording patent Assignment, per property

Fees Paid (\$)

40.

SUBMITTED BY

Signature [Signature] Registration No. 26,447 Telephone 650/842-0300
Name (Print/Type) John W. Carpenter Date January 20, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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.

In Re Application of: Cullen Jennings Application No.: Unknown Filing Date: January 20, 2005 Title: Method And System For Managing Communication In Emergency Communication System	Docket No.: 100101-004800US Re: Filing Patent Application
--	--

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

EXPRESS MAIL CERTIFICATE

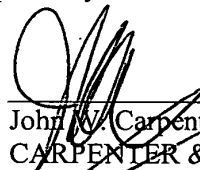
Return-Receipt Stamped Postcard;
Check (No. 1003) for \$1,840.00;
Utility Patent Application Transmittal;
Fee Transmittal Sheet (in duplicate);
Application Data Sheet;
Assignment Recordation Sheet and Assignment (executed);
Declaration (executed);
Specification, Claims, Abstract and Drawings; and
Information Disclosure Statement Letter, IDS (Form
PTO/SB/08A) and two (2) cited references.

I hereby certify that this paper and the enclosures listed above are being deposited with the U.S. Postal Service "Express Mail to Addressee" Express Mail No.: EV587371085US on January 20, 2005, is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 20, 2005

Respectfully submitted,

By:



John W. Carpenter, Reg. No. 26,447
CARPENTER & KULAS, LLP
1900 Embarcadero Road
Suite 109
Palo Alto, CA 94303-3310
USA

EV587371085US

Attorney Docket No.: 100101-004800
Client Reference No.: 10112

**APPLICATION FOR
UNITED STATES PATENT
IN THE NAME
OF**

CULLEN JENNINGS
1385 Tanaka Drive
San Jose, CA 95131
Citizen of USA

FOR

**METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN
EMERGENCY COMMUNICATION SYSTEM**

Please direct communications to:

Carpenter & Kulas, LLP
1900 Embarcadero Rd. Suite 109
Palo Alto, CA 94303-3310
Phone: 650-842-0300

Express Mail Number EV 587371085 US

Assignee: Cisco Technology, Inc.

Entity: Large

METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM

BACKGROUND OF THE INVENTION

1. Field of Invention

This invention relates in general to wireless communication systems. More specifically, the invention relates to methods and systems for managing communication in an emergency communication system.

2. Description of the Background Art

[01] Emergency communication systems are used by emergency service providers such as the fire department, the police force, and hospitals. Each emergency communication system supports a plurality of communication channels, wherein each channel may be dedicated to a group/locality/unit. For example, the fire department can allocate one channel to every school, or other public places such as shopping malls, so as to enable effective communication during an emergency.

[02] This allocation of dedicated channels to different entities results in the possibility of multiple messages being received in the form of radio messages on different channels at one time. The receipt of multiple radio messages at one time creates confusion for an operator who needs to reply/act on each incoming radio message. To avoid this confusion, the operator mutes all the channels except one, so as to clearly follow one channel. This results in the operator being able to follow the channel that is not a muted channel, while the message on the muted channels is lost.

[03] Alternatively, the operator hears overlapping messages. However, in this case, there is a possibility of interference in the overlapping messages, resulting in garbled communication, which may not be of any use. In such a situation, no message being communicated can be used or retrieved.

[04] Hence, conventional techniques are unable to effectively manage the messages being received in all the situations in an emergency communication system.

Additionally, the absence of prioritization of incoming data results in the loss of messages.

SUMMARY OF EMBODIMENTS OF THE INVENTION

[05] Various embodiments of the invention provide for storing and replaying audio or other emergency radio communication information so that information that would be obscured or otherwise unheard can be made intelligible to a listener. For example, if incoming radio messages overlap in time the message audio portions can be prioritized and played back on the basis of the priority and the time of receipt. In case of overlap of the incoming radio messages in time, the radio message with the highest priority is played first, while the remaining radio messages are stored in a queue. The queue is formed again on the basis of priority. The stored radio messages are played subsequent to the completion of the radio message with the higher priority. Selection, storing and playback of audio segments can be wholly automated or can be directed with attention to user settings and controls. Other features are provided.

[06] In one embodiment, the invention provides a method of managing communication in an emergency communication system. The emergency communication system receives radio messages from a plurality of channels. The method comprises (i) receiving a first radio message on a first channel from amongst the plurality of channels; (ii) receiving at least one second radio message on channels other than the first channel from amongst the plurality of channels, wherein the second radio message overlaps with the first radio message in time; (iii) playing the radio message with a higher priority between the first and second radio message; (iv) storing at least one radio message with a lower priority between the first and second radio message; and (v) playing the stored radio message subsequent to the completion of the playing of the radio message with the higher priority.

[07] In another embodiment, the invention provides an emergency communication system for managing communication. The emergency communication system receives radio messages from a plurality of channels. The emergency communication system comprises (i) a receiver module for receiving a plurality of radio messages on the plurality of channels, (ii) a player module for playing a received radio message with the highest priority, (iii) a central conferencing system that comprises: (a) a prioritizing module for prioritizing the received plurality of radio messages based on a predefined

parameter; (b) a sender module for sending a radio message for playing, based on the associated priority; and (c) a storage medium for storing the radio messages in a queue, based on the associated priority.

[08] In yet another embodiment, the invention provides an apparatus for managing communication in an emergency communication system. The emergency communication system receives radio messages on a plurality of channels. The apparatus comprises (i) a processing system including a processor coupled to a display and user input device; (ii) a machine-readable medium, including instructions executable by the processor comprising (a) one or more instructions for receiving a first radio message on a first channel from amongst the plurality of channels; (b) one or more instructions for receiving at least one second radio message on a second channel from amongst the plurality of channels, the second radio message overlapping with the first radio message in time; (c) one or more instructions for playing the radio message with the highest priority, the priority of the received radio messages being determined, based on at least one predefined parameter; (d) one or more instructions for storing at least one radio message with a lower priority; and (e) one or more instructions for playing the stored radio message subsequent to the completion of the playing of the radio message with a higher priority.

[09] In further embodiments, the invention provides a central conferencing system for managing a plurality of radio messages received by an emergency communication system. The emergency communication system receives the radio messages on a plurality of channels and comprises a player for playing the radio messages. The central conferencing system comprises: (i) a prioritizing module for prioritizing the received radio messages, based on at least one predefined parameter; (ii) a sender module for sending the radio message with the highest priority to the player for playing; (iii) a storage module for storing the radio messages from amongst the plurality of radio messages that are not being played; and (iv) an alert module to inform a user regarding the time of receipt of a radio message, while playing the radio message.

[10] In further embodiments, the invention provides a machine-readable medium, including instructions executable by the processor comprising: (i) one or more instructions for receiving a first radio message on a first channel from amongst the plurality of channels; (ii) one or more instructions for receiving at least one second radio

message on a second channel from amongst the plurality of channels, wherein the second radio message overlaps with the first radio message in time; (iii) one or more instructions for playing the radio message with the highest priority, the priority of the received radio message being determined, based on at least one predefined parameter, (iv) one or more instructions for storing at least one radio message with a lower priority; and (v) one or more instructions for playing the stored radio messages subsequent to completing the playing of the radio message with the higher priority.

[11] These provisions, together with the various ancillary provisions and features that will become apparent to those skilled in the art, as the following description proceeds, are attained by devices, assemblies, systems, and methods of embodiments of the invention, the various embodiments thereof being shown with reference to the accompanying drawings, by way of example only, wherein:

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 illustrates an exemplary environment in which the invention operates, in accordance with an embodiment of the invention.

Fig. 2 illustrates a flowchart depicting an overview of a method for managing communication in an emergency communication system, in accordance with an embodiment of the invention.

Fig. 3 illustrates a flowchart depicting a detailed method for managing communication in an emergency communication system, in accordance with an embodiment of the invention.

Fig. 4 illustrates a working example of the emergency communication system in case of the receipt of radio messages overlapping in time, in accordance with an embodiment of the invention.

Fig. 5 depicts an emergency communication system, in accordance with an embodiment of the invention.

DETAILED DESCRIPTION OF EMBODIMENTS OF THE INVENTION

[12] The invention provides methods, systems and a computer program product for managing communication in an emergency communication system. The emergency communication system is a dedicated system used by emergency service providers, handling emergency cases relating to fire, police and hospitals. The emergency communication system has to be reliable and should provide expeditious means for communication during an emergency. The invention provides methods, systems and a computer program product to enable effective communication during an emergency so that each communication packet of radio message is delivered to its destination without any loss of information.

[13] Fig. 1 illustrates an exemplary environment in which the invention operates, in accordance with an exemplary embodiment of the invention. In accordance with an embodiment of the invention, an emergency communication system **102** is connected to dispatchers **104** belonging to the emergency teams. Emergency communication system **102** includes a communication sub-system for sending and receiving messages. Dispatchers **104** are the operators who handle the communication for the emergency teams and respond to emergency messages received from a plurality of users **106**. Emergency communication system **102** receives messages on a plurality of communication channels. The connection of emergency communication system **102** with plurality of users **106** can be a wired or wireless connection and may not be bounded by any geographical constraints. The messages can be received from users **106** from any suitable link or device, or in any suitable format such as via wireless devices, the Internet, Voice-over-IP (VoIP), telephones, or any other communication device. The data type of the messages can be, for example, text, audio or video format.

[14] In various embodiments of the invention, a plurality of radio messages is simultaneously received by emergency communication system **102** from separate users **106**. The simultaneous receipt of the plurality of radio messages results in the radio messages overlapping in time. The overlapping of radio messages in time results in loss of a part of the radio messages due to interference in incoming radio messages or the manual muting of the radio channels.

[15] In such cases, the invention avoids loss of the radio messages by enabling an appropriate coordination between the various channels communicating the radio messages. In particular, emergency communication system 102 plays a single radio message at one time and stores the remaining radio messages, thereby avoiding loss of the remaining radio messages. In various embodiments of the invention, emergency communication system 102 resolves the overlap of radio messages, based upon a predefined priority. The radio message with the highest priority is played and the remaining radio messages are stored in a queue, based on their priority. The stored radio messages are subsequently played.

[16] Fig. 2 illustrates a flowchart depicting an overview of a method for managing communication in an emergency communication system, in accordance with an embodiment of the invention. At step 202, first radio message is received on a first radio channel. At step 204, second radio message is received on a second radio channel. The second radio message overlaps with the first radio message in time. At step 206, the radio message with the higher priority between the first and second radio messages is played. At step 208, the radio message with the lower priority between the first and second radio messages is stored. At step 210, stored radio message is played when no is being played, or when the radio message being played is lower in priority than the stored radio message.

Fig. 3 illustrates a flowchart depicting a detailed method for managing communication in emergency communication system 102, in accordance with an embodiment of the invention. At step 302, emergency communication system 102 receives a first radio message on a first channel. At step 304, emergency communication system 102 receives at least one second radio message on channels other than the first channel. At step 306, a check is performed to verify if the second radio message overlaps with the first radio message in time. If no overlapping has been identified between the first and second radio messages, each of the received radio message is played, based on the time of receipt, as shown at step 308.

[17] However, in case overlapping is identified at step 306, step 310 is performed. At step 310, a priority is calculated for each of the incoming radio messages. In accordance with an embodiment of the invention, the priority can be calculated by using at least one

pre-defined parameter. The pre-defined parameter can be, for example, the type of radio messages, the size of the radio messages, the bandwidth requirement, the channel from which radio messages are received, or any possible combination thereof. At step 312, a check is performed to identify the radio message with the highest priority. The radio message with the highest priority is played at step 314 while the remaining radio messages are stored in a queue at step 316. The storage is based on the priority calculated at step 310.

[18] While the radio message with the highest priority is being played, a periodic check is performed at step 318 to verify if the playtime of the radio message with the higher priority is over. In case the playtime for the highest priority radio message is over, step 320 is performed. At step 320, the stored radio message with the highest priority is played. In case the play time for the radio message with the highest priority is not over, the playing of the radio message is continued, as shown at step 322.

[19] However, in case a new radio message is received on any of the plurality of channels, while the radio message with the highest priority is being played, steps 302 to 316 are performed. According to these steps, new radio message is played, in case the priority of the new received radio message is higher than the one being played. Otherwise, the new radio message is stored in the queue and played, based on the priority, once the playtime of the radio message being played is over.

[20] Fig. 4 illustrates a working example of communication by using emergency communication system 102, in accordance with an embodiment of the invention. In accordance with an embodiment of the invention, radio messages 402, in the form of data packets are routed to emergency communication system 102 through a plurality of channels 404. As shown in Fig. 4, the x-axis corresponds to time. Hence, overlapping on the x-axis corresponds to an overlap in time. The first incoming radio message packet is A, followed by B, C, D, E and F. Each radio message packet has an associated priority assigned to it on the basis of at least one of the pre-defined parameters, as described earlier in conjunction with Fig. 3. Each radio message 402 is received on a particular channel, which is supported by emergency communication system 102.

[21] In accordance with an embodiment of the invention, radio message A is played as soon as it is received on channel 1. Thereafter, radio message B is played since it does

not overlap in time with radio message A. While radio message B is being played, radio message C is received. After computation and comparison of the priorities of B and C, it is found that the priority of radio message B is higher. Hence, radio message C is stored in the queue. At this point of time, radio message C is the only radio message in the queue. As soon as radio message B is completed, radio message C is played. While radio message C is being played, radio messages D and E are received. Radio messages D and E are lower in priority than radio message C, so they are stored in the queue, based on the priority. In accordance with an embodiment of the invention, the priority of radio message E is higher than that of radio message D, and hence, is stored accordingly in the queue. As soon as radio message C is completed, stored radio message E is played, since it is highest in priority among the stored radio messages. Radio message D is still in the queue. As soon as radio message E is completed, stored radio message D is played. However, while playing radio message D, radio message F is received. Radio message F is found to be higher in priority than radio message D, which is being played. Therefore, the playing of radio message D is terminated after a portion of D, i.e., D1, has been played and radio message F is played. The part of the radio message D that could not be played, i.e., D2, is resumed after the completion of the playing of radio message F. In accordance with an embodiment of the invention, a user is informed about the time of receipt of a radio message, while playing the radio message.

[22] Fig. 5 depicts an emergency communication system, in accordance with an exemplary embodiment of the invention. In accordance with an embodiment of the invention, an emergency communication system comprises a receiver module 502, a player module 504, and a central conferencing system 506. Receiver module 502 receives the radio messages from plurality of channels 404. In various embodiments of the invention, receiver module 502 is a radio receiver.

[23] Central conferencing system 506 manages the incoming messages and avoids any losses in the messages due to overlap in time. Central conferencing system 506 further includes a prioritizing module 508, a storage module 510, an alert module 512, and a sender module 514. Prioritizing module 508 prioritizes the incoming messages, based on at least one of the pre-defined parameters, as stated above. Prioritizing module 508 further includes a priority calculator 516 and a comparison module 518. Priority

calculator 516 calculates the priority of each of the received radio messages. Comparison module 518 compares the priorities of the incoming radio messages, to identify the radio message with the highest priority. The identified radio message is played while the remaining received radio messages are stored in storage module 510 in a queue. The queue is also based on the priority of the radio messages being stored. In an embodiment of the invention, comparison module 518 can be a software module. In another embodiment of the invention, comparison module 518 can be a hardware module such as a comparator circuit.

[24] This storage prevents any losses in the radio messages due to overlapping of messages in time. In various embodiments, storage module 510 can be a memory device such as a random access memory, read only memory, hard disk, and optical storage device. Alert module 512 generates alerts to inform the operator about the time of receipt of a radio message while playing radio message. The alerts can be in the form of audio, video, or as text display. Sender module 514 sends the radio messages for playing. The inputs to sender module 514 come from comparison module 518.

[25] In an embodiment of the invention, central conferencing system 506 includes a computer in which various modules reside. The computer includes a processor, a display unit and a memory. The various modules of central conferencing system 506 can be implemented as a software module, hardware modules, or the combination thereof. In an embodiment of the invention, alerts regarding the time receipts are displayed on the display unit of the computer.

[26] Player module 504 plays the radio message that is directly received on the plurality of channels, or is sent by sender module 514. In various embodiments of the invention, player module 504 is implemented as a hardware module. In an embodiment, player module 504 can be an audio player or an audio-video player.

[27] The embodiments of the invention have the advantage that the plurality of radio messages is effectively managed. The invention prevents the loss of radio messages that would otherwise be lost if the operator of a conventional emergency communication system muted one of the channels in the case of overlap in the incoming radio messages. The invention provides a means for pausing and replaying the lower priority message in

the case of a clash of incoming radio messages, thereby increasing the reliability of the emergency communication system.

[28] Another advantage of the invention is the prioritizing of the inflow of messages on the basis of pre-defined parameters. This helps in the cases where some channels, such as those related to schools or other public places, are given higher priority than others, such as in vacated places.

[29] Although the invention has been discussed with respect to its specific embodiments, these embodiments are merely illustrative and not restrictive, of the invention. For example, a 'method for managing communication in an emergency communication system' can include any type of analysis, manual or automatic, to anticipate the needs of the emergency communication system. Different embodiments of the invention need not include all steps, components, or functionality provided herein. For example, an embodiment need not use a priority scheme. Communications can be paused, stored and played back according to a round-robin, random, last-in-first-out, first-in-first-out, or any other scheme. The alert function need not be present in all embodiments. Other features can be modified, added or deleted without departing from the scope of the invention.

[30] Although specific protocols have been used to describe embodiments, other embodiments can use other transmission protocols or standards. Use of the terms 'peer', 'client', and 'server' can include any type of device, operation, or other process. The invention can operate between any two processes or entities including users, devices, functional systems, or combinations of hardware and software. Peer-to-peer networks and any other networks or systems where the roles of client and server are switched, change dynamically, or are not even present, are within the scope of the invention.

[31] Any suitable programming language can be used to implement the routines of the invention including C, C++, Java, assembly language, etc. Different programming techniques such as procedural or object oriented can be employed. The routines can execute on a single processing device or multiple processors. Although the steps, operations, or computations may be presented in a specific order, this order may be changed in different embodiments. In some embodiments, multiple steps shown sequentially in this specification can be performed at the same time. The sequence of

operations described herein can be interrupted, suspended, or otherwise controlled by another process, such as an operating system, kernel, etc. The routines can operate in an operating system environment or as stand-alone routines occupying all, or a substantial part, of the system processing.

[32] In the description herein for embodiments of the invention, numerous specific details are provided, such as examples of components and/or methods, to provide a thorough understanding of embodiments of the invention. One skilled in the relevant art will recognize, however, that an embodiment of the invention can be practiced without one or more of the specific details, or with other apparatus, systems, assemblies, methods, components, materials, parts, and/or the like. In other instances, well-known structures, materials, or operations are not specifically shown or described in detail to avoid obscuring aspects of embodiments of the invention.

[33] Also in the description herein for embodiments of the invention, a portion of the disclosure recited in the specification contains material, which is subject to copyright protection. Computer program source code, object code, instructions, text or other functional information that is executable by a machine may be included in an appendix, tables, figures or in other forms. The copyright owner has no objection to the facsimile reproduction of the specification as filed in the Patent and Trademark Office. Otherwise all copyright rights are reserved.

[34] A 'computer' for purposes of embodiments of the invention may include any processor-containing device, such as a mainframe computer, personal computer, laptop, notebook, microcomputer, server, personal data manager or 'PIM' (also referred to as a personal information manager), smart cellular or other phone, so-called smart card, set-top box, or any of the like. A 'computer program' may include any suitable locally or remotely executable program or sequence of coded instructions that are to be inserted into a computer, well known to those skilled in the art. Stated more specifically, a computer program includes an organized list of instructions that, when executed, causes the computer to behave in a predetermined manner. A computer program contains a list of ingredients (called variables) and a list of directions (called statements) that tell the computer what to do with the variables. The variables may represent numeric data, text, audio or graphical images. If a computer is employed for synchronously presenting

multiple video program ID streams, such as on a display screen of the computer, the computer would have suitable instructions (e.g., source code) for allowing a user to synchronously display multiple video program ID streams in accordance with the embodiments of the invention. Similarly, if a computer is employed for presenting other media via a suitable directly or indirectly coupled input/output (I/O) device, the computer would have suitable instructions for allowing a user to input or output (e.g., present) program code and/or data information respectively in accordance with the embodiments of the invention.

[35] A 'computer readable medium' for purposes of embodiments of the invention may be any medium that can contain, store, communicate, propagate, or transport the computer program for use by or in connection with the instruction execution system apparatus, system or device. The computer readable medium can be, by way of example only but not by limitation, an electronic, magnetic, optical, electromagnetic, infrared, or semiconductor system, apparatus, system, device, propagation medium, or computer memory. The computer readable medium may have suitable instructions for synchronously presenting multiple video program ID streams, such as on a display screen, or for providing for input or presenting in accordance with various embodiments of the invention.

[36] Reference throughout this specification to "one embodiment", "an embodiment", or "a specific embodiment" means that a particular feature, structure, or characteristic described in connection with the embodiment is included in at least one embodiment of the invention and not necessarily in all embodiments. Thus, respective appearances of the phrases "in one embodiment", "in an embodiment", or "in a specific embodiment" in various places throughout this specification are not necessarily referring to the same embodiment. Furthermore, the particular features, structures, or characteristics of any specific embodiment of the invention may be combined in any suitable manner with one or more other embodiments. It is to be understood that other variations and modifications of the embodiments of the invention described and illustrated herein are possible in light of the teachings herein and are to be considered as part of the spirit and scope of the invention.

[37] Further, at least some of the components of an embodiment of the invention may be implemented by using a programmed general-purpose digital computer, by using application specific integrated circuits, programmable logic devices, or field programmable gate arrays, or by using a network of interconnected components and circuits. Connections may be wired, wireless, by modem, and the like.

[38] It will also be appreciated that one or more of the elements depicted in the drawings/figures can also be implemented in a more separated or integrated manner, or even removed or rendered as inoperable in certain cases, as is useful in accordance with a particular application.

[39] Additionally, any signal arrows in the drawings/Figures should be considered only as exemplary, and not limiting, unless otherwise specifically noted. Combinations of components or steps will also be considered as being noted, where terminology is foreseen as rendering the ability to separate or combine is unclear.

[40] As used in the description herein and throughout the claims that follow, “a”, “an”, and “the” includes plural references unless the context clearly dictates otherwise. Also, as used in the description herein and throughout the claims that follow, the meaning of “in” includes “in” and “on” unless the context clearly dictates otherwise.

[41] The foregoing description of illustrated embodiments of the invention, including what is described in the abstract, is not intended to be exhaustive or to limit the invention to the precise forms disclosed herein. While specific embodiments of, and examples for, the invention are described herein for illustrative purposes only, various equivalent modifications are possible within the spirit and scope of the invention, as those skilled in the relevant art will recognize and appreciate. As indicated, these modifications may be made to the invention in light of the foregoing description of illustrated embodiments of the invention and are to be included within the spirit and scope of the invention.

[42] Thus, while the invention has been described herein with reference to particular embodiments thereof, a latitude of modification, various changes and substitutions are intended in the foregoing disclosures, and it will be appreciated that in some instances some features of embodiments of the invention will be employed without a corresponding use of other features without departing from the scope and spirit of the invention as set forth. Therefore, many modifications may be made to adapt a particular situation or

material to the essential scope and spirit of the invention. It is intended that the invention not be limited to the particular terms used in following claims and/or to the particular embodiment disclosed as the best mode contemplated for carrying out this invention, but that the invention will include any and all embodiments and equivalents falling within the scope of the appended claims.

WHAT IS CLAIMED IS:

1. A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first channel from amongst the plurality of channels;

receiving at least one second message on channels other than the first channel from amongst the plurality of channels, the second message overlapping with the first message in time;

playing the message having a higher priority between the first and the second message;

storing at least one message having a lower priority between the first and the second message; and

playing the stored message subsequent to completing playing of the message having higher priority.

2. The method of claim 1, wherein the playing the message having a higher priority comprises prioritizing the received messages based on at least one predefined parameter.

3. The method of claim 2, wherein the prioritizing comprises:

calculating the priorities of the received messages; and

comparing the priorities of the received messages.

4. The method of claim 2, wherein the predefined parameter comprises a bandwidth requirement of the received messages.

5. The method of claim 2, wherein the predefined parameter comprises a type of the received messages.

6. The method of claim 5, wherein the type of received messages being one of a group comprising audio, video, text, and image.

7. The method of claim 3, wherein the calculating the priorities comprises assigning priorities to the received messages based on inputs from a user.

8. The method of claim 1, further comprising informing an operator the time of receipt of a message while playing the message.

9. The method of claim 1, wherein a message includes voice over internet protocol communications.

10. The method of claim 1, wherein a message includes mobile phone communications.

11. The method of claim 1, wherein a message includes radio communications.

12. A method of managing communication in an emergency communication system, the emergency communication system receiving messages from a plurality of channels, the method comprising:

receiving a first message on a first channel from amongst the plurality of channels;

receiving at least one second message on at least one channel from amongst the plurality of channels, the second message overlapping with the first message in time;

prioritizing the received message based on at least one predefined parameter;

playing the message having the highest priority;

storing the message having lower priority in a queue on the basis of the prioritization;

checking periodically the status of the message being played; and

playing the stored message having the highest priority.

13. The method of claim 12 further comprising informing a user the time of receipt of a message while plying the message.

14. An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

- means for receiving a plurality of messages on the plurality of channels;

- means for playing a received messages having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

- a central conferencing system comprising:

 - means for prioritizing the received plurality of messages based on the predefined parameter;

 - means for sending a message for playing based on the associated priority;

- and

- means for storing the messages other than the one sent for playing in a queue based upon the associated priority.

15. An emergency communication system for managing communication, the emergency communication system receiving messages from a plurality of channels, the emergency communication system comprising:

- a receiver module for receiving a plurality of messages on the plurality of channels;

- a player module for playing a received message having the highest priority, the plurality of received messages being prioritized based on at least one predefined parameter;

- a central conferencing system comprising:

 - a prioritizing module for prioritizing the plurality of messages based on the predefined parameter;

 - a sender module for sending a message for playing based on the associated priority; and

a storage medium for storing the messages in a queue based upon the associated priority.

16. The emergency communication system of claim 15, wherein the prioritizing module comprises:

- a priority calculator for calculating the priority of the received messages; and
- a comparison module for comparing the priorities of the plurality of received messages.

17. The emergency communication system of claim 15, wherein the central conferencing system further comprises an alert module for informing an operator the time of receipt of a message while playing the message.

18. A central conferencing system for managing a plurality of messages received by an emergency communication system, the emergency communication system receiving the messages on a plurality of channels and comprising a player module for playing the messages, the central conferencing system comprising:

- a prioritizing module for prioritizing the received messages based on at least one predefined parameter, the prioritizing module comprises:

- a priority calculator for calculating the priority of the received messages;

- and

- a comparison module for comparing the priorities of the plurality of received messages;

- a sender module for sending the messages with the highest priority to the player module for playing;

- a storage module for storing the messages from amongst the plurality of messages that are not being played; and

- an alert module for informing a user the time of receipt of a message while playing the message.

19. An apparatus for managing communication in an emergency communication system, the emergency communication system receiving messages on a plurality of channels, the apparatus comprising:

- a processing system including a processor coupled to a display and user input device; and

- a machine-readable medium including instructions executable by the processor comprising:

 - one or more instructions for receiving a plurality of messages on the plurality of channels;

 - one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

 - one or more instructions for storing at least one message having a lower priority; and

 - one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

20. A machine-readable medium including instructions executable by the processor comprising:

- one or more instructions for receiving a plurality of messages on the plurality of channels;

- one or more instructions for playing the message having the highest priority, the priority of the received messages being determined based on at least one predefined parameter;

- one or more instructions for storing at least one message having a lower priority; and

- one or more instructions for playing the stored messages subsequent to completing playing of the message having higher priority.

METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY COMMUNICATION SYSTEM

ABSTRACT OF THE DISCLOSURE

A method and system for managing communication in an emergency communication network is described. The emergency communication network receives a plurality of radio messages from a plurality of channels. The incoming radio messages sometimes overlap in time. Incoming radio messages can be prioritized and played back on the basis of the priority and the time of receipt. In case of overlap of the incoming radio messages in time, the radio message with the highest priority is played first, while the remaining radio messages are stored in a queue. The queue is formed again on the basis of priority. The stored radio messages are played subsequent to the completion of the radio message with the higher priority.

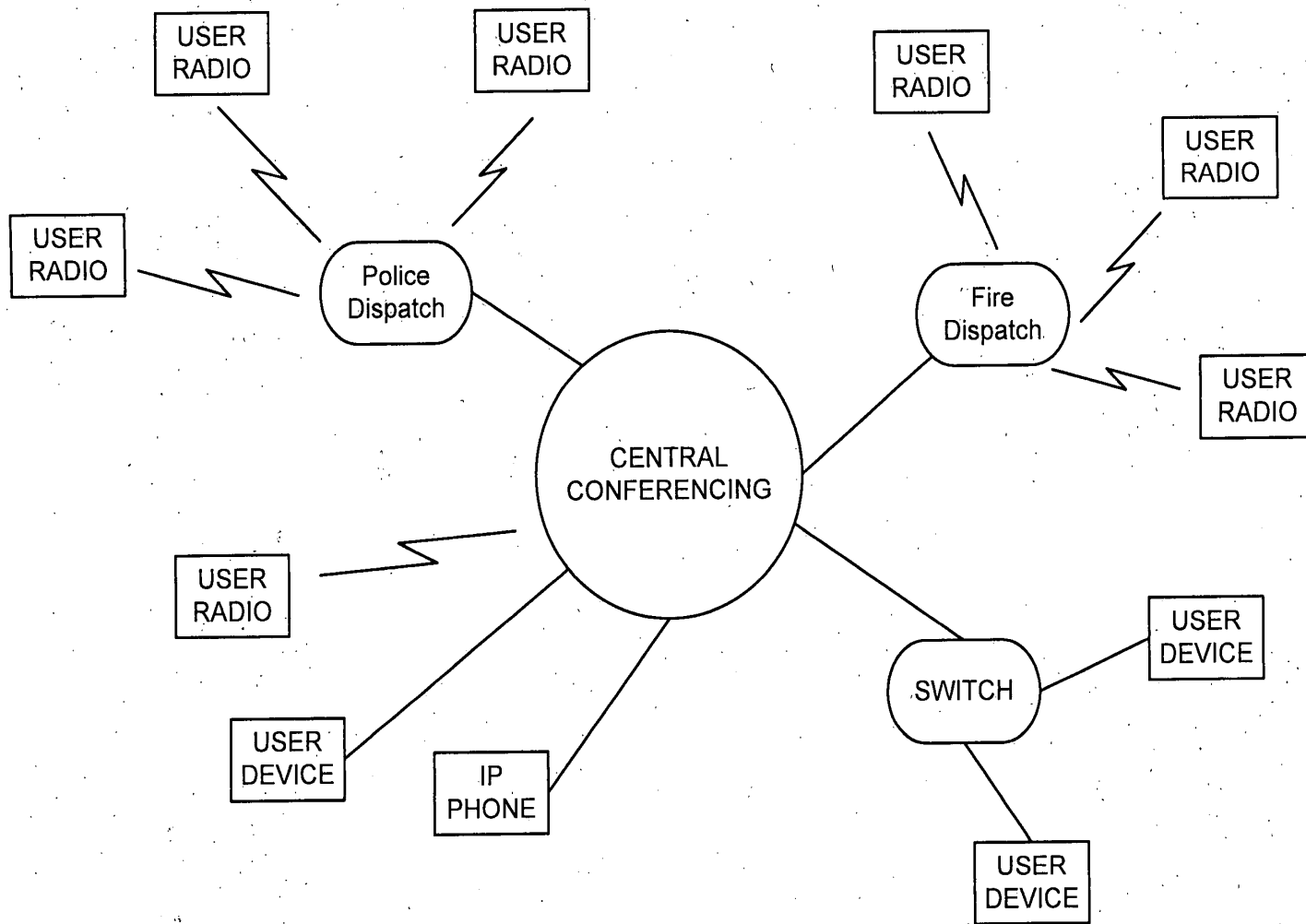


Fig. 1



Prior Art

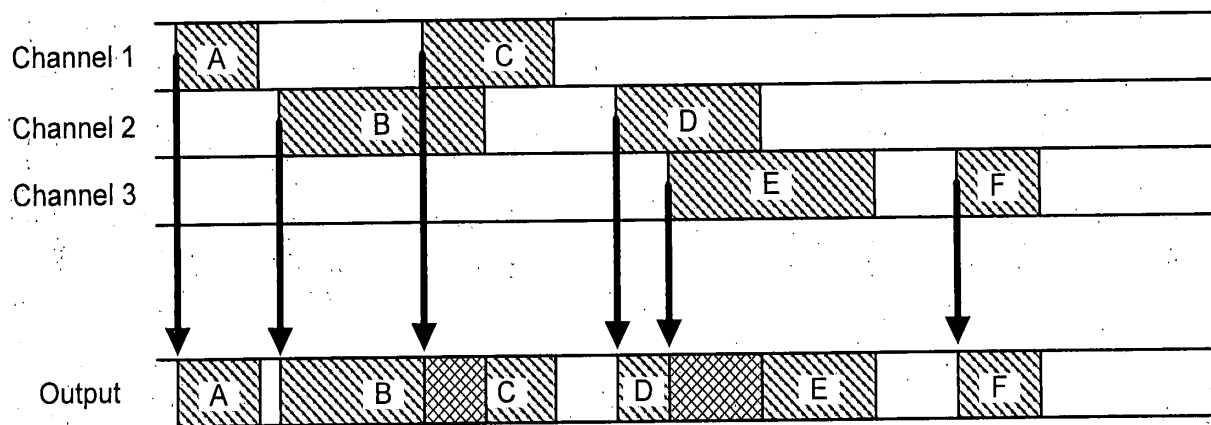


Figure 2

2/2

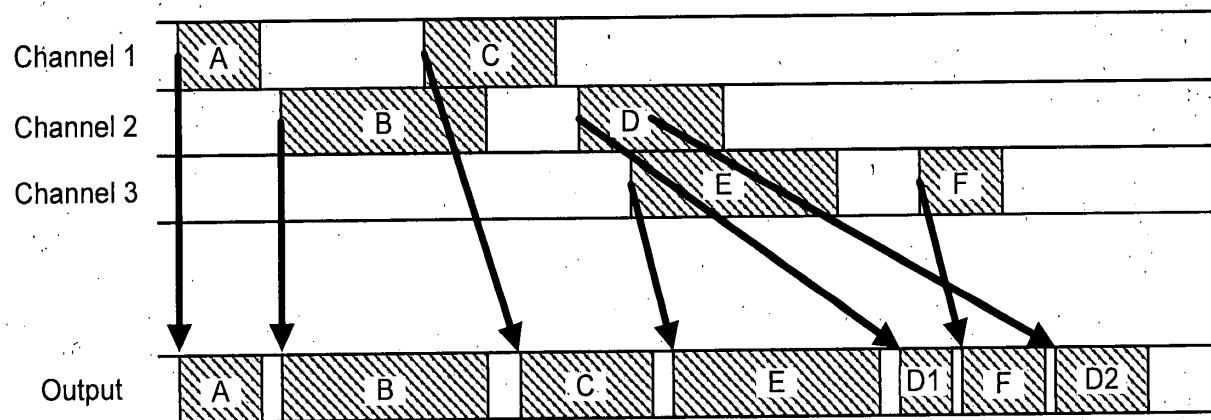


Figure 3



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) ☒ Declaration Submitted With Initial Filing ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	100101-004800US
	First Named Inventor	Cullen Jennings
	COMPLETE IF KNOWN	
	Application Number	Unknown
	Filing Date	Herewith
	Group Art Unit	Unknown
	Examiner Name	Unknown

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND SYSTEM FOR MANAGING COMMUNICATION IN EMERGENCY
COMMUNICATION SYSTEM**

the specification of which (Title of the Invention)

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

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

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

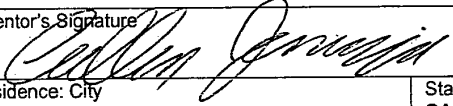
[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 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 completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		☒ The address associated with Customer Number:		37490		OR		☐ Correspondence address below	
Name									
Address									
City				State			ZIP		
Country				Telephone			Fax		
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 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.									
NAME OF SOLE OR FIRST INVENTOR:				☐ A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any]) Cullen				Family Name or Surname Jennings					
Inventor's Signature 				Date Jan 14, 2005					
Residence: City San Jose				State CA		Country USA		Citizenship United States	
Mailing Address 1385 Tanaka Drive									
City San Jose				State CA		Zip 95131		Country USA	
NAME OF SECOND INVENTOR:				☐ A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname					
Inventor's Signature				Date					
Residence: City				State		Country		Citizenship	
Mailing Address									
City				State		Zip		Country	
☐ Additional inventors or a legal representative are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.									

[Page 2 of 2]

100101-004800US

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 8, 2004

Application or Docket Number

110 3 956.9

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	20	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	20 minus 20 =	* -
INDEPENDENT CLAIMS	7 minus 3 =	* 4
MULTIPLE DEPENDENT CLAIM PRESENT ☐		

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY

TYPE ☐

OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	150.00	OR	BASIC FEE	300.00
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	800
+180=		OR	+360=	
TOTAL		OR	TOTAL	1100

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	*	Minus	**
Independent	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM ☐			

SMALL ENTITY

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(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 ☐			

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(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 ☐			

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

***If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION SERIAL NO _____

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

01/28/2005 EHAILE1 00000060 11039569

01 FC:1011	300.00	OP
02 FC:1111	500.00	OP
03 FC:1311	200.00	OP
04 FC:1201	800.00	OP

PTO-1556
(5/87)

Application Data Sheet

Application Information

Application number:	Unknown
Filing Date:	January 20, 2005
Application Type:	Regular
Subject Matter:	Utility
Title:	Method And System For Managing Communication In Emergency Communication System
Attorney Docket Number:	100101-004800US
Request for Early Publication:	No
Request for Non-Publication:	No
Total Drawing Sheets:	2
Small Entity?:	No
Licensed US Govt. Agency:	No
Contract or Grant Numbers One:	No

Applicant Information

Applicant Authority Type:	Inventor
Primary Citizenship Country:	United States
Status:	Full Capacity
Given Name:	Cullen
Middle Name:	
Family Name:	Jennings
City of Residence:	San Jose
State or Province of Residence:	CA
Country of Residence:	USA
Street of Mailing Address:	1385 Tanaka Drive
City of Mailing Address:	San Jose
State or Province of mailing address:	CA
Country of mailing address:	USA
Postal or Zip Code of mailing address:	95131

Correspondence Information

Correspondence Customer Number: 37490

Representative Information

Representative Customer Number: 37490

Domestic Priority Information

Application: Continuity Type: Parent Application: Parent Filing Date:

Foreign Priority Information

Country: Application number: Filing Date:

Assignee Information

Assignee Name: Cisco Technology, Inc.
Street of mailing address: 170 W. Tasman Drive
City of mailing address: San Jose
State or Province of mailing address: CA
Country of mailing address: USA
Postal or Zip Code of mailing address: 95134-1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Cullen Jennings Serial No: Unknown as yet Filed: January 20, 2005 Title: Method And System For Managing Communication In Emergency Communication System	Examiner: Art Unit: Atty. Docket No.: 100101-004800US
---	---

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

INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §1.56 and §§1.97-98

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is Form PTO/SB/08 (substitute for Form 1449A/PTO) listing two (2) references for consideration by the Examiner. A copy is enclosed herewith of the listed references which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

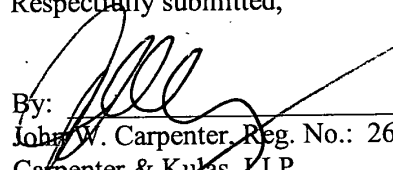
The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

The Information Disclosure Statement submitted herewith is being filed with the new patent application. No fee is required. Please apply any other appropriate charges or credits to Deposit Account No. 50-3000.

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Dated: January 20, 2005

By: 

John W. Carpenter, Reg. No.: 26,447

Carpenter & Kulas, LLP

1900 Embarcadero Road, Suite 109

Palo Alto, CA. 94303-3310

Tel.: (650) 842-0300

Fax: (650) 842-0304

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

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	
			Filing Date	January 20, 2005
			First Named Inventor	Cullen Jennings
			Group Art Unit	
			Examiner Name	
Sheet 1 of 1	Attorney Docket Number	100101-004800US		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Arinc, "ARINC Demo Shows How Police, Fire, EMS, and Authorities Can All Communicate" (from ARINC NEWS), March 23, 2004 (Release: 04-66), 2 pages.	
		(www.911dispatch.com), "Typical Public Safety Comm Centers", updated 9/3/03, 5 pages.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

* EXAMINER: Initial if reference 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.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

21861 US-PTO
012005

PTO/SB/05 (09-04)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	100101-004800US
	First Inventor	Cullen Jennings
	Title	METHOD AND SYSTEM FOR MANAGING
	Express Mail Label No.	EV 587371085 US

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. ☐ Applicant claims small entity status. See 37 CFR 1.27. 3. ☒ Specification [Total Pages <u>22</u>] Both the claims and abstract must start on a new page (For information on the preferred arrangement, see MPEP 608.01(a)) 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>] 5. Oath or Declaration [Total Sheets <u>2</u>] a. ☒ Newly executed (original or copy) b. ☐ A copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. ☒ Application Data Sheet. See 37 CFR 1.76 7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) ☐ Landscape Table on CD 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. - c. are required) a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ Paper c. ☐ Statements verifying identity of above copies	ACCOMPANYING APPLICATION PARTS 9. ☒ Assignment Papers (cover sheet & document(s)) Name of Assignee <u>Cisco Technology, Inc.</u> 10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee) 11. ☐ English Translation Document (if applicable) 12. ☒ Information Disclosure Statement (PTO/SB/08 or PTO-1449) ☒ Copies of citations attached 13. ☐ Preliminary Amendment 14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____
Prior application information: Examiner _____ Art Unit: _____

19. CORRESPONDENCE ADDRESS				
☒ The address associated with Customer Number:		37490		OR ☐ Correspondence address below
Name				
Address				
City	State	Zip Code		
Country	Telephone	Fax		
Signature	Date		January 20, 2005	
Name (Print/Type)	Registration No. (Attorney/Agent)		26,447	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. 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.

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.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,840.

Complete if Known

Application Number
Filing Date January 20, 2005
First Named Inventor Cullen Jennings
Examiner Name
Art Unit
Attorney Docket No. 100101-004800US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 503000 Deposit Account Name: Carpenter & Kulas, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	1,000.
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims Fee (\$) Fee Paid (\$)

20 - 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

7 - 3 or HP = 4 x 200 = 800.

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

24 - 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Recording patent Assignment, per property

Fees Paid (\$)

40.

SUBMITTED BY

Signature [Signature] Registration No. 26,447 Telephone 650/842-0300
Name (Print/Type) John W. Carpenter Date January 20, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, 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.

In Re Application of: Cullen Jennings Application No.: Unknown Filing Date: January 20, 2005 Title: Method And System For Managing Communication In Emergency Communication System	Docket No.: 100101-004800US Re: Filing Patent Application
--	--

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

EXPRESS MAIL CERTIFICATE

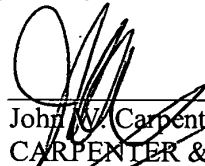
Return-Receipt Stamped Postcard;
Check (No. 1003) for \$1,840.00;
Utility Patent Application Transmittal;
Fee Transmittal Sheet (in duplicate);
Application Data Sheet;
Assignment Recordation Sheet and Assignment (executed);
Declaration (executed);
Specification, Claims, Abstract and Drawings; and
Information Disclosure Statement Letter, IDS (Form
PTO/SB/08A) and two (2) cited references.

I hereby certify that this paper and the enclosures listed above are being deposited with the U.S. Postal Service "Express Mail to Addressee" Express Mail No.: EV587371085US on January 20, 2005, is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 20, 2005

Respectfully submitted,

By:



John W. Carpenter, Reg. No. 26,447
CARPENTER & KULAS, LLP
1900 Embarcadero Road
Suite 109
Palo Alto, CA 94303-3310
USA

EV587371085US