

THE PATENT CAPITAL GROUP

September 2, 2008

Attorney Docket No.: 3919.0101

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

Presented for filing is a new original patent application of:

Applicant: Zeeshan Khan et al.

Title: *System and Method for Providing Presence Based Trunking in a Network Environment*

Assignee: Cisco Technology, Inc.

Enclosed are the following papers, including those required to receive a filing date under 37 C.F.R. § 1.53(b):

	<u>Pages</u>
Specification	17
Claims	6
Abstract	1
Declaration	6
Drawing(s)	4

Enclosures:

- Application Data Sheet, 5 pages
- Information Disclosure Statement and PTO-1449, 2 pages

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September 2, 2008

Page 2

			<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee			155	310	\$310
Search Fee			255	510	\$510
Examination fee			105	210	\$210
Total Claims 20	over 20	1 x \$50	25	50	\$50
Independent Claims 3	over 3	1 x \$210	105	210	\$210
Fee for Multiple Dependent claims			185	370	\$0
Fee for each additional 50 pages of Specification and Drawings over 100			130	260	\$0
		$(19+8-100)/50 = 0 \times$			
Total Filing fee					\$1290

The filing fee in the amount of \$1,290.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of credit card.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (214) 823-1241.

Please direct all correspondence to the following:

78855

PTO Customer Number

Respectfully submitted,

/Thomas J. Frame/

Thomas J. Frame

Reg. No. 47,232

Enclosures

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT, the specification of which is attached hereto;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
-----NONE-----			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application

Serial Number

Date Filed

Status

I hereby appoint:

Practitioners at Customer Number

78855

all of the firm of the Patent Capital Group, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Thomas J. Frame

The above-mentioned Customer Number

Direct Telephone Calls To:

Thomas J. Frame

at 214.823.1241

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ATTORNEY DOCKET NO.
3919.0101

DECLARATION AND
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4

Full name of the sole or first inventor: Zeeshan Khan

Inventor's signature:

Ze Khan

Date:

02/14/2013

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Citizenship:

United States of America

ATTORNEY DOCKET NO.
3919.0101

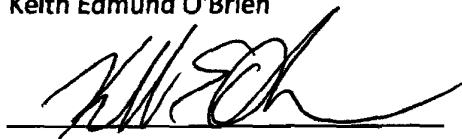
DECLARATION AND
POWER OF ATTORNEY

5

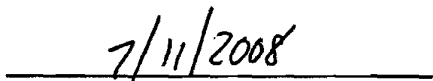
Full name of inventor:

Keith Edmund O'Brien

Inventor's signature:

A handwritten signature in black ink, appearing to read 'KEITH E O'BRIEN', written over a horizontal line.

Date:

A handwritten date '7/11/2008' in black ink, written over a horizontal line.

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3919.0101

DECLARATION AND
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Full name of inventor:

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Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
First Named Inventor/Applicant Name:		Zeeshan Khan		
Filer:		Thomas John Frame		
Attorney Docket Number:		3919.0101		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility application filing	1011	1	310	310
Utility Search Fee	1111	1	510	510
Utility Examination Fee	1311	1	210	210
Pages:				
Claims:				
Claims in excess of 20	1202	1	50	50
Independent claims in excess of 3	1201	1	210	210
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1290

Electronic Acknowledgement Receipt	
EFS ID:	3869983
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	78855
Filer:	Thomas John Frame
Filer Authorized By:	
Attorney Docket Number:	3919.0101
Receipt Date:	02-SEP-2008
Filing Date:	
Time Stamp:	09:48:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1290
RAM confirmation Number	6214
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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Page 11 of 267

1	Application Data Sheet	39190101ApplicationDataSheet.pdf	98995 bd21c69f19e8b5a973e6cf3474dea31e732c7aa5	no	5
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2		39190101Application.pdf	77781 9af608699933d23368f4f37c1c95953d42886103	yes	24
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	17	
	Claims		18	23	
	Abstract		24	24	
Warnings:					
Information:					
3	Drawings-only black and white line drawings	39190101Drawings.pdf	58633 38dc351b7b4ff7721b7a29f4fbd87cfa7a73df2	no	4
Warnings:					
Information:					
4	Information Disclosure Statement Letter	39190101IDSand1449.pdf	85022 a073ea3c4a70741b39c30e4e8ae3616815f8aac8	no	2
Warnings:					
Information:					
5	Transmittal of New Application	39190101ApplicationTransmittal.pdf	16553 a282e04c2033ce294b086fcc7d9e32b7f65f833	no	2
Warnings:					
Information:					
6	Oath or Declaration filed	39190101Declaration.pdf	43311 7ceb4afb7e21923db77775c9c38b4940965f0eb	no	6
Warnings:					
Information:					
7	Fee Worksheet (PTO-06)	fee-info.pdf	37971 a3c1fdc58537a475162db85f9c97d2c702894bed	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.

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.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	3919.0101
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2

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

Applicant 1					
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	
				☐ Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Zeeshan	NMI	Khan		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
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Citizenship under 37 CFR 1.41(b)		US			
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Postal Code	94539	Country	US		
Applicant 2					
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	
				☐ Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Keith	Edmund	O'Brien		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Metuchen	State/Province	NJ	Country of Residence	US
Citizenship under 37 CFR 1.41(b)		US			
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Address 2					
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Postal Code	08840	Country	US		
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Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	
				☐ Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Shmuel	NMI	Shaffer		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Palo Alto	State/Province	CA	Country of Residence	US

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	3919.0101	
		Application Number		
Title of Invention	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT			
Citizenship under 37 CFR 1.41(b)	US			
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Address 2				
City	Palo Alto	State/Province	CA	
Postal Code	94301	Country	US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.				
				Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
☐ An Address is being provided for the correspondence information of this application.	
Customer Number	78855
Email Address	Add Email Remove Email

Application Information:

Title of the Invention	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
Attorney Docket Number	3919.0101	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	4	Suggested Figure for Publication (if any)	

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐ Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	3919.0101
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
Customer Number	78855		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

Remove			
Application Number	Country ¹	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			☒ Yes ☐ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Assignee Information:

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

Assignee 1

If the Assignee is an Organization check here. ☒

Organization Name	Cisco Technology, Inc.		
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Mailing Address Information:

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Country	US	Postal Code	95134
Phone Number		Fax Number	
Email Address			

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

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.
--

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number		3919.0101	
		Application Number			
Title of Invention		SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT			
Signature		/Thomas J. Frame/		Date (YYYY-MM-DD)	2008-09-02
First Name	Thomas	Last Name	Frame	Registration Number	47232

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

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.

SYSTEM AND METHOD FOR PROVIDING PRESENCE
BASED TRUNKING IN A NETWORK ENVIRONMENT

TECHNICAL FIELD OF THE INVENTION

This invention relates in general to the field of communications and, more particularly, to a system and a method for providing presence based trunking in a network
5 environment.

BACKGROUND OF THE INVENTION

Networking services have become increasingly important in today's society. In certain architectures, service providers may seek to offer multicast services for their end users. 'Multicast' refers to the delivery of information to a group of destinations simultaneously using the most efficient strategy. Delivery of messages over each link of the network happens only once: creating copies only when the links to the destinations split.

IP Multicast is a technique for one, to many, communications over an IP infrastructure. It scales to a larger receiver population by not requiring prior knowledge of whom or how many receivers are present. Multicast utilizes network infrastructure efficiently by requiring the source to send a packet only once, even if it needs to be delivered to a large number of receivers. The nodes in the network take care of replicating the packet to reach multiple receivers.

An IP Multicast group address is used by sources and by the receivers to send and receive content. Sources use the group address as the IP destination address in their data packets. Receivers use this group address to inform the network that they are interested in receiving packets sent to that group. At the forefront of all these operations is cost because the links that carry this data are expensive.

Accordingly, the ability to optimize communication links in the context of multicasting activities presents a significant challenge to network administrators, component manufacturers, and system designers alike.

BRIEF DESCRIPTION OF THE DRAWINGS

To provide a more complete understanding of the present invention and features and advantages thereof, reference is made to the following description, taken in
5 conjunction with the accompanying figures, wherein like reference numerals represent like parts, in which:

FIGURE 1 is a simplified block diagram of a communications system for enabling multicast services in a network environment in accordance with one embodiment
10 of the present invention;

FIGURE 2 is a simplified block diagram of the communication system where a link is being dynamically provided;

FIGURE 3 is a simplified block diagram of the communication system where a link is dynamically provided
15 based on presence information; and

FIGURES 4-5 are simplified flowcharts illustrating a series of example steps associated with a method for intelligently establishing links for multicast services
20 in the communication system.

DETAILED DESCRIPTION OF EXAMPLE EMBODIMENTS OF THE
INVENTION

OVERVIEW

5 A method is provided in one example implementation and the method includes interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain. The method further includes determining
10 whether to establish a link for multicasting between users in the first domain and users in the second domain, and the link between the domains is established based on presence data of at least one user in the first domain and at least one user in the second domain.

15 FIGURE 1 illustrates a communication system 10 that includes a Multicast Domain A 12, which further includes a local area network (LAN) A 30. In a 'multicast domain' the traffic does not automatically flow between domains. Communication system 10 also includes a Multicast Domain
20 B 14, which includes a LAN B 32. In addition, communication system 10 includes a satellite 16, a high-latency low bandwidth (HLLB) set of links 20, 22, and a wireless area network (WAN) 24 link. This nailed link connects unicast over WAN such that, from left to right,
25 a communication would propagate from Multicast to Unicast to Multicast (MUM), thereby creating a MUM protocol.

 LAN A and LAN B include respective SatCom routers 38 and 40, communication resource managers 44 and 46, and dynamic trunking elements 50 and 52. A set of virtual
30 talk group (VTG) presence managers (VPMs) 54 and 58 are also provided within communication resource managers 44 and 46, respectively (the VPMs are shown in FIGURE 2).

Note that any of the items within communication resource managers 44 and 46 could be provided external to these components, where appropriate, or alternatively combined, based on particular configuration needs.

5 Before turning to some of the components of embodiments of the present invention, some preliminary information about a typical multicast protocol is provided. It is beneficial to provide an overview as to the way in which the following invention operates. The
10 following foundational information may be viewed as a basis from which the present invention may be properly explained. Such information is offered earnestly for purposes of explanation only and, accordingly, should not be construed in any way to limit the broad scope of the
15 present invention and its potential applications.

 When the IP network spans over satellite links, special considerations should be applied to preserve bandwidth and minimize operational costs. Communications links are typically provided between communicating
20 entities, but these links are not optimized. Common deployment topologies over (for example) WAN and SatCom arrangement include a combination of multicast and unicast links using Multicast-Unicast-Multicast (MUM) configurations. Pre-configured networks will universally
25 pre-allocate expensive bandwidth, which may lie idle if not planned correctly. When a dynamic trunk configuration is used, a unicast link over a SatCom link is brought up dynamically, only when a multi-zone VTG is activated.

30 Despite the fact that the dynamic trunk configuration is a major improvement over a pre-configured static MUM configuration, it still has the

drawback of establishing a SatCom link even when the remote site does not have any active relevant participants in it. Thus, many systems provide communication over SatCom, but these are simply pre-
5 configured or get brought up upon establishment of VTGs. What is needed is an efficient and cost effective trunking system that reserves and brings-up expensive trunks only when needed.

Within these multicast islands or domains of FIGURE
10 1, packets flow freely. In FIGURE 1, this would allow groups within Multicast Domain A (item #12) to communicate with each other without restraint. Similarly, multicast communications can readily propagate within Multicast Domain B (item #14). However, once the
15 domain is crossed, the multicast packets are not necessarily forwarded. The way around this issue is through a unicast trunking configuration. The unicast trunk can be thought of as a hardwired bridge between these two islands or domains. This allows the forwarding
20 operations to occur. Typically, the router configuration will reserve some bandwidth for such operations (these routers are illustrated in FIGURE 3 and further detailed below). Note that bandwidth reservations are generally based on user needs, compression requirements, etc. and
25 this algorithm can be complex.

In accordance with the teachings of the present invention, communication system 10 provides a mechanism that utilizes location and presence information to facilitate dynamic network configurations. In general,
30 when a VTG presence manager (VPM) detects that a VTG in a remote site does not have any active users logged into the system, the VPM (in cooperation with dynamic trunking

elements 50 and 52) brings down the SatCom link between this location and all other locations. Similarly, as the system detects that there is at least one user present at each location of a multi-location VTG, it dynamically
5 brings up a SatCom link between the two locations. VPMs 54 and 58 can be part of the communication resource managers 44 and 46 respectively, where one VPM is provided in each respective domain. Once a link is made between the two domains, a multi-location VTG is
10 established and functional.

One embodiment of the present invention reduces the operational cost of systems by tearing down expensive SatCom links when they are not needed. Not only is there a considerable cost savings in implementing such a
15 concept, the system also hides the complexity of networking by facilitating a proverbial one click selection of (e.g., PTT) channels and the associated multimedia feeds, while setting up networking behind the scenes. Furthermore, the system is intelligent enough to
20 take into account the capabilities and bandwidth requirements of the endpoints in each location, and it responds by bringing up bandwidth to match the needs of end users. The VPM monitors the number of users present at each site. It then conveys this information to
25 communication resource managers 44 and 46, which use this information to maintain an appropriate link bandwidth.

In operation of a brief example, there is a VPM associated with each location and this can be part of communication resource managers 44 and 46. The VPM
30 tracks the presence of users associated with VTGs in each location. In the event that the VPMs (on both sides of the newly established link) determine that there are

users in both locations, the VPMs maintain the newly established link between the locations. However if either one of the VPMs determine that there are no active users logged into the system in the location it monitors, the VPM tears down the link and enters into a 'Link down due to no local user presence' state. Users in the other location can be informed that the link is down because there are no users in the remote site. This provides an indication that the link is down for cost saving reasons, rather than because of any technical issues.

Communication resource managers 44 and 46 continuously monitor their respective domains for the presence of users (users logging in and out of the system). When the remote communication resource manager (44 or 46) detects that a user has logged into the system, it checks the state of the system. If the system state indicates that the new user does not need to be in a multi-site VTG, or if the system determines that the SatCom already exists for the multi-site VTG, the operation continues unaltered.

However if a new user logs into the system when it is in the "Link down due to no local user presence" state, the system brings up the link (e.g., a SatCom link). As soon as the SatCom link is up, communication is established between communication resource managers 44 and 46 in order to determine if users are present on both sides of the link. The operation continues as described above. Once the SatCom link is brought up, it is kept up as long as the VTG is active and communication resource managers 44 and 46 (on both sides) of the link detect that users are present in both locations. Once communication resource managers 44 and 46 on either side

detect that they have no users present in a given multi-location VTG, they communicate the state to the remote entity and tear down the SatCom link.

In accordance with one aspect of the invention, communication resource managers 44 and 46 bring up links having only the bandwidth required for the applications used by the user. For example, if communication resource managers 44 and 46 determine that a user is utilizing a video application, they will bring up a link with a broad bandwidth. Alternatively, if they determine that a user is utilizing only a voice application, they would reserve and bring up a low bandwidth link. Similarly, if communication resource managers 44 and 46 detect that the endpoints of users in a remote location have only text applications, they would bring up a narrow bandwidth link.

In yet another embodiment, dynamic trunking elements 50 and 52 (in cooperation with the endpoints) automatically configure the system to select transcoding based on the available bandwidth. As a result, the endpoints are dynamically configured to ramp down the codec on the SatCom link, based on the available bandwidth over the SatCom link. Note that each SatCom link may adjust its codec according to the specific bandwidth it is able to reserve.

In accordance with another aspect of the invention, communication resource managers 44 and 46 track the number of present users and their bandwidth needs. For example, if the system allows multiple users to transmit simultaneously, the system may increase the bandwidth between the two locations based on the number of users present at each location. In a communications

environment, dynamic trunking elements 50 and 52 would bring up the SatCom link when a first user logs into the system. Dynamic trunking elements 50 and 52 would increase the bandwidth of the link as a second and a third user log into the remote location. However, as the forth fourth user logs into the system, dynamic trunking elements 50 and 52 would leave the bandwidth of the link unaltered, as communication system 10 would not allow more than three users to transmit voice simultaneously (in this example). Other implementations of the present invention are more robust and can accommodate more users.

Turning now to some of the infrastructure for achieving these operations, in FIGURE 2 there are two sets of VTGs provided as VTG1 60 (inclusive of persons A1, A2, and A3) and VTG2 62 (inclusive of persons B1 and B2). VTG1 60 is part of Multicast Domain A 12, while VTG2 64 is part of Multicast Domain B 14. WAN 24 couples Multicast Domain A (12) and Multicast Domain B (14). WAN 24 also has a connection to the aforementioned routers.

These routers are configured in such a way that they will take a specific multicast address from Multicast Domain A (12), take the medium from that (e.g., voice), and position it into a specific nailed connection between these domains. Ultimately, the voice data would arrive at Multicast Domain B (14). In a static configuration, all multicasting being generated by Multicast Domain A (12) gets sent across this WAN 24 and it arrives at Multicast Domain B (14). In a nailed connection, WAN 24 is in an 'ALWAYS ON' mode. The connection does have some convenience for the VTGs 60 and 64, but the connection is expensive. Whether the connection is using fiber

technology, or employing the use of HLLB SatCom links 20 and 22, there is a considerable cost burden.

Instead of pre-reserving this expensive bandwidth along these hardwired links, an on-demand protocol can be employed such that when an immediate need surfaces, the bridge would be established between two locations. In the example case of FIGURES 2 and 3, WAN 24 is illustrated as a dashed line: indicating that it is not a hardwired connection. In the example of FIGURE 2, there are two distinct groups that actively interact within their respective groups. Occasionally, however, there is an issue that necessitates someone from VTG1 60 to communicate with VTG2 64. FIGURE 2 can be viewed as a second phase of the optimization, where VTG2 64 will spawn the WAN 24 connection. As explained further below, FIGURE 3 illustrates a scenario in which the WAN 24 connection is brought up based on the detected presence of individuals.

Turning now to FIGURE 3, when there is a need to initiate a communication between VTG1 60 and VTG2 64, routers 70 and 72 create an immediate connection via WAN 24. In essence, the pipe between these VTGs is brought up between the routers to service these groups. Subsequently, when the event concludes, dynamic trunking elements 50 and 52 take down the nailed connection. Therefore, the cost drops considerably because the hard connection usage is being minimized.

Note that the creation of VTGs does not mean that these members are necessarily utilizing the WAN or SatCom links. There is a difference between establishing the infrastructure necessary to potentially communicate over the link, and actually using the link for multicasting

operations. Again, the issue here becomes cost, as often times links are incurring cost while not being used.

The final phase of the teachings of the present invention involves systematically detecting the presence of individuals. In one example, a simple log-in could be used to verify a person's presence on the system. For example, if the trunk is essentially ON and if there is a VTG that requires it, then the dynamic trunk is brought up. Thus, trunks are only connected when people are present and ready to utilize them at that instant. Even though the VTG has been configured, the costs will not begin tolling until the presence information is confirmed.

Communication resource managers 44 and 46 will give direction to routers 70 and 72 (respectively) in bringing up and dynamically configuring these trunks. Dynamic trunking elements 50 and 52 can assist in this coordination and empower communication resource managers 44 and 46 to give intelligent instructions to routers 70 and 72. Note that in other embodiments, these routers 70 and 72 are not part of this equation and the system operates with just the satellite links. In such a scenario, the separate WAN 24 link is unnecessary.

Note that there is somewhat of a "Catch 22" issue here: How should the whole process be initiated? This can be addressed in the following manner. Communication resource managers 44 and 46 help to coordinate this initial connection. There will be a momentary connection between communication resource managers 44 and 46: both of these devices can detect a quorum (at least one person, for example) for their respective VTGs and that information can be relayed over to the other side.

Presume that person A3 has come into the office and logged into her respective system in LAN A. Communication resource manger 44 would relay this information to communication resource manager 46 and query if there is at least one other user in that VTG. If there are no end users on the other side, then the connection is torn down. Thus, there is a short-term establishment of the connection in order to determine presence information on the other side, but when there is no presence on the other side, the connection is not maintained (e.g., for an unduly extensive timeframe). In this sense, costs are strategically controlled, particularly so when there is not a need to have a connection up and running.

Software and/or hardware (inclusive of memories and processors that can execute any software application) may reside in communication resource managers 44 and 46, in dynamic trunking elements 50 and 52, in routers 70 and 72, and in VPMs 54 and 58 in order to achieve the teachings of optimizing multicasting operations of the present invention. These components may be consolidated, or any one of these can be eliminated or added to the system elsewhere while remaining within the broad scope of the present invention. However, due to their flexibility, these items may alternatively be equipped with (or include) any suitable algorithm, hardware, component, device, application specific integrated circuit (ASIC), processor, microprocessor, algorithm, read-only memory (ROM) element, random access memory (RAM) element, erasable programmable ROM (EPROM), electrically erasable programmable ROM (EEPROM), field-programmable gate array (FPGA), or any other suitable

element or object that is operable to facilitate the operations thereof. Considerable flexibility is provided by the structure of these outlined configurations in the context of communication system 10 and, accordingly, they
5 should be construed as such.

FIGURES 4-5 are simplified flowcharts illustrating a series of example steps associated with a method for intelligently establishing links for multicast services in the communication system. Starting with FIGURE 4, a
10 method 400 begins at step 402, where a given end user (in this example case, user A3 of VTG1 60) logs onto the system. Her respective communication resource manager A (of LAN A), in response to her logging in, brings up the WAN link at step 404. Note that the direction of this
15 flow, or theme, is that the mere existence of a VTG does not automatically bring up the link. Thus, the fact that the VTG has been configured is not determinative of whether the link will be used.

At step 406, presence information is exchanged. In
20 regards to 'presence' data more generally, presence information is a status indicator that conveys an ability and/or willingness of a potential communication partner to communicate. A user's client provides presence information (presence state) via a network connection to
25 a presence service, which is stored in what constitutes his personal availability record. This can be made available for distribution to other users to convey his/her availability for communication. This presence data could involve virtually any type of communication
30 capability (e.g., instant messaging or texting capabilities, related implementations of voice over IP, etc.). Current standards support a rich choice of

additional presence attributes that can be used for presence information, such as user mood, location, or free text status. A user client may publish a presence state to indicate its current communication status. This
5 published state informs others that wish to contact the user of his availability and willingness to communicate. The most common use of presence today is to display an indicator icon on instant messaging clients, typically from a choice of graphic symbol with an easy-to-convey
10 meaning, and a list of corresponding text descriptions of each of the states.

Returning to FIGURE 4, at step 408, communication resource manager B detects if users are present in VTG2 in LAN B. If there are no users present in LAN B, then
15 the trunk is torn down at step 410. If there are users present, then the connection is kept up at step 412.

Similarly, in FIGURE 5, a method 500 is provided that begins at step 502 where the dynamic trunk is up. At step 504, the presence of users on both sides is
20 detected. If the answer is YES to this question, the flow continues in this fashion, until a NO answer is reached at step 506. At this juncture, the trunk is torn down and the flow ends.

Note that the examples of FIGURES 4-5 has been
25 offered for purposes of teaching only. Accordingly, some of these steps may be changed, deleted, or replaced with other steps where appropriate. Such modifications may be based on particular communication needs or specific communication architectures and configurations and are
30 within the teachings of the present invention.

Although the present invention has been described in detail with reference to particular embodiments, it

should be understood that various other changes, substitutions, and alterations may be made hereto without departing from the spirit and scope of the present invention. For example, although the present invention
5 has been described as operating in low-bandwidth environments, the present invention may be used in any networking environment that is cost sensitive. While the savings in a high bandwidth environment may not be as great as in an HLLB scenario, the teachings of the
10 present invention can certainly be employed there. Moreover, the protocol disclosed in the preceding figures is generally applicable to all communication systems in which information packets are routed between or through IP networks. Note also that although specific protocols
15 are described herein in this document to illustrate example operations, any suitable communicative platforms may be used to effectuate the operations, which provide an ability to provide multicast services for communication system 10.

20 In some instances, the WAN outlined above could be replaced (or used in conjunction with) a wireless local area network (WLAN), metropolitan area network (MAN), wide area network (WAN), virtual private network (VPN), or any other appropriate architecture or system that
25 facilitates communications in a network environment.

Numerous other changes, substitutions, variations, alterations, and modifications may be ascertained to one skilled in the art and it is intended that the present invention encompass all such changes, substitutions,
30 variations, alterations, and modifications as falling within the scope of the appended claims. In order to assist the United States Patent and Trademark Office

(USPTO) and, additionally, any readers of any patent issued on this application in interpreting the claims appended hereto, Applicant wishes to note that the Applicant: (a) does not intend any of the appended claims to invoke paragraph six (6) of 35 U.S.C. section 112 as it exists on the date of the filing hereof unless the words "means for" or "step for" are specifically used in the particular claims; and (b) does not intend, by any statement in the specification, to limit this invention in any way that is not otherwise reflected in the appended claims.

WHAT IS CLAIMED IS:

1. An apparatus, comprising:

a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain, wherein the managers determine whether to establish a link for multicasting between users in the first domain and users in the second domain, and the link between the domains is established based on presence data of at least one user in the first domain and at least one user in the second domain.

2. The apparatus of Claim 1, wherein the link is a satellite communication link.

3. The apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG).

4. The apparatus of Claim 1, wherein presence data relates to whether a given end user has logged into their respective system.

5. The apparatus of Claim 1, wherein the communication resource managers each include respective virtual talk group (VTG) presence managers (VPMs) each of which is operable to monitor their users who are present in their respective domains.

6. The apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation.

7. The apparatus of Claim 5, wherein if either one of the VPMS determine that there are no active users logged into their respective systems, then the VPMS tear down the link.

5

8. The apparatus of Claim 1, wherein the link is brought up based on a required bandwidth necessary for a user's anticipated application.

10

9. The apparatus of Claim 1, wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding based on available bandwidth.

15

10. The apparatus of Claim 1, further comprising:
a router that establishes the link based on direction from the communication resource manager.

11. A method, comprising:
interacting, via a first communication resource
manager located in a first domain, with a second
communication resource manager located in a second
5 domain; and

determining whether to establish a link for
multicasting between users in the first domain and users
in the second domain, and the link between the domains is
established based on presence data of at least one user
10 in the first domain and at least one user in the second
domain.

12. The method of Claim 11, wherein the link is a
satellite communication link, and wherein the users of
15 the first domain comprise a virtual talking group (VTG).

13. The method of Claim 11, further comprising:
detecting whether a given end user has logged into
their respective system in order to identify presence.

20

14. The method of Claim 11, further comprising:
maintaining a designated link bandwidth allocation
based on a number of users who are logged into their
respective systems.

25

15. The method of Claim 11, further comprising:
determining that there are no active users logged
into their respective systems; and
tearing down the link.

16. Logic encoded in one or more tangible media for execution and when executed by a processor operable to:

interact, via a first communication resource manager located in a first domain, with a second communication
5 resource manager located in a second domain; and

determine whether to establish a link for multicasting between users in the first domain and users in the second domain, and the link between the domains is established based on presence data of at least one user
10 in the first domain and at least one user in the second domain.

17. The logic of Claim 16, wherein the logic is further operable to:

15 detect whether a given end user has logged into their respective system in order to identify presence.

18. The logic of Claim 16, wherein the logic is further operable to:

20 maintain a designated link bandwidth allocation based on a number of users who are logged into their respective systems.

19. The logic of Claim 16, wherein the logic is further operable to:

determine that there are no active users logged into their respective systems; and
tear down the link.

20. The logic of Claim 16, wherein the logic is further operable to:

anticipate bandwidth necessary for a user's application; and

5 bring up the link having the necessary bandwidth to accommodate the user's application.

21. A system, comprising:

means for interacting, via a first communication
resource manager located in a first domain, with a second
communication resource manager located in a second
5 domain; and

means for determining whether to establish a link
for multicasting between users in the first domain and
users in the second domain, and the link between the
domains is established based on presence data of at least
10 one user in the first domain and at least one user in the
second domain, wherein the link is a satellite
communication link, and wherein the users of the first
domain comprise a virtual talking group (VTG).

SYSTEM AND METHOD FOR PROVIDING PRESENCE
BASED TRUNKING IN A NETWORK ENVIRONMENT

ABSTRACT OF THE DISCLOSURE

A method is provided in one example implementation and the method includes interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain. The method further includes determining whether to establish a link for multicasting between users in the first domain and users in the second domain, and the link between the domains is established based on presence data of at least one user in the first domain and at least one user in the second domain.

1/4

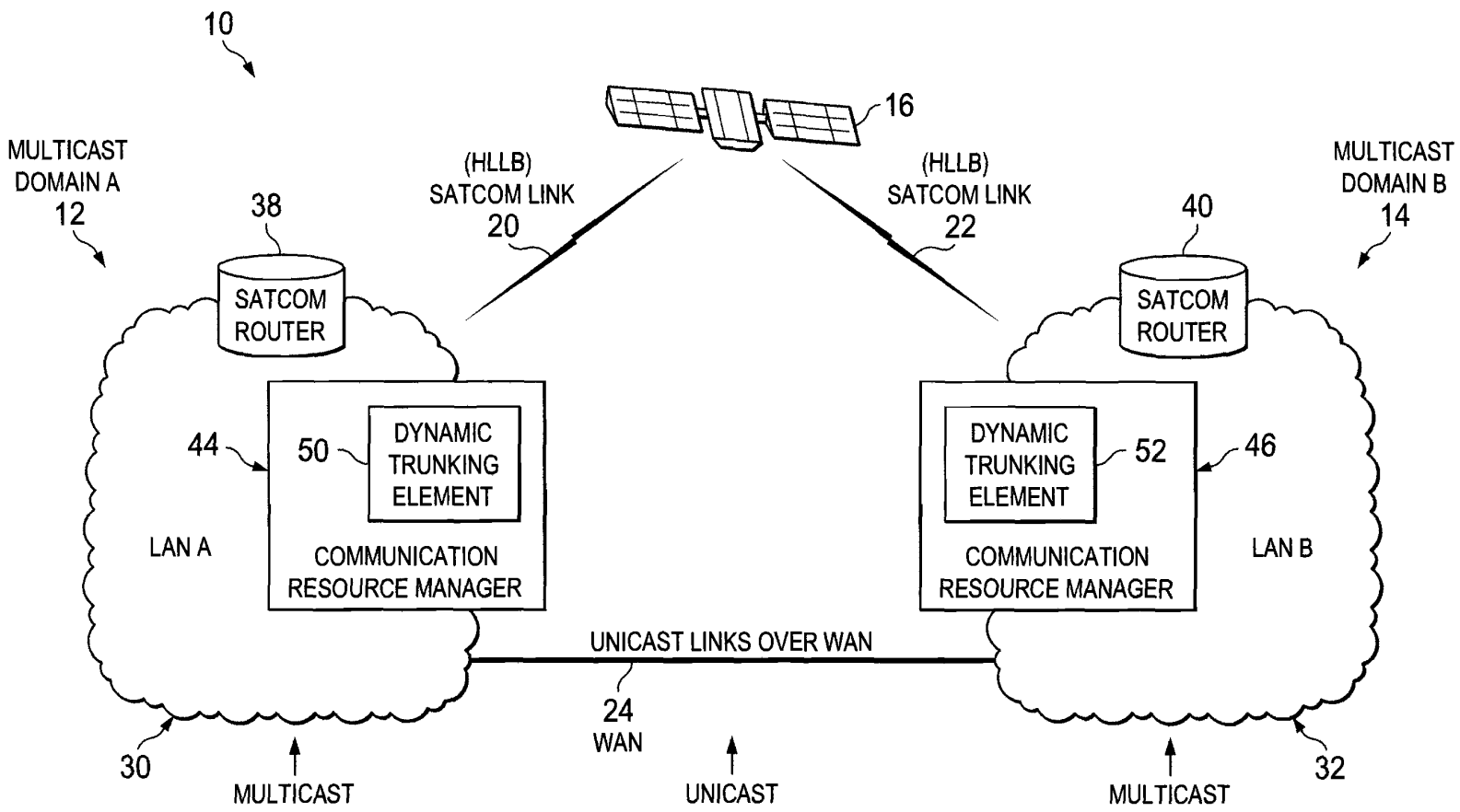


FIG. 1

2/4

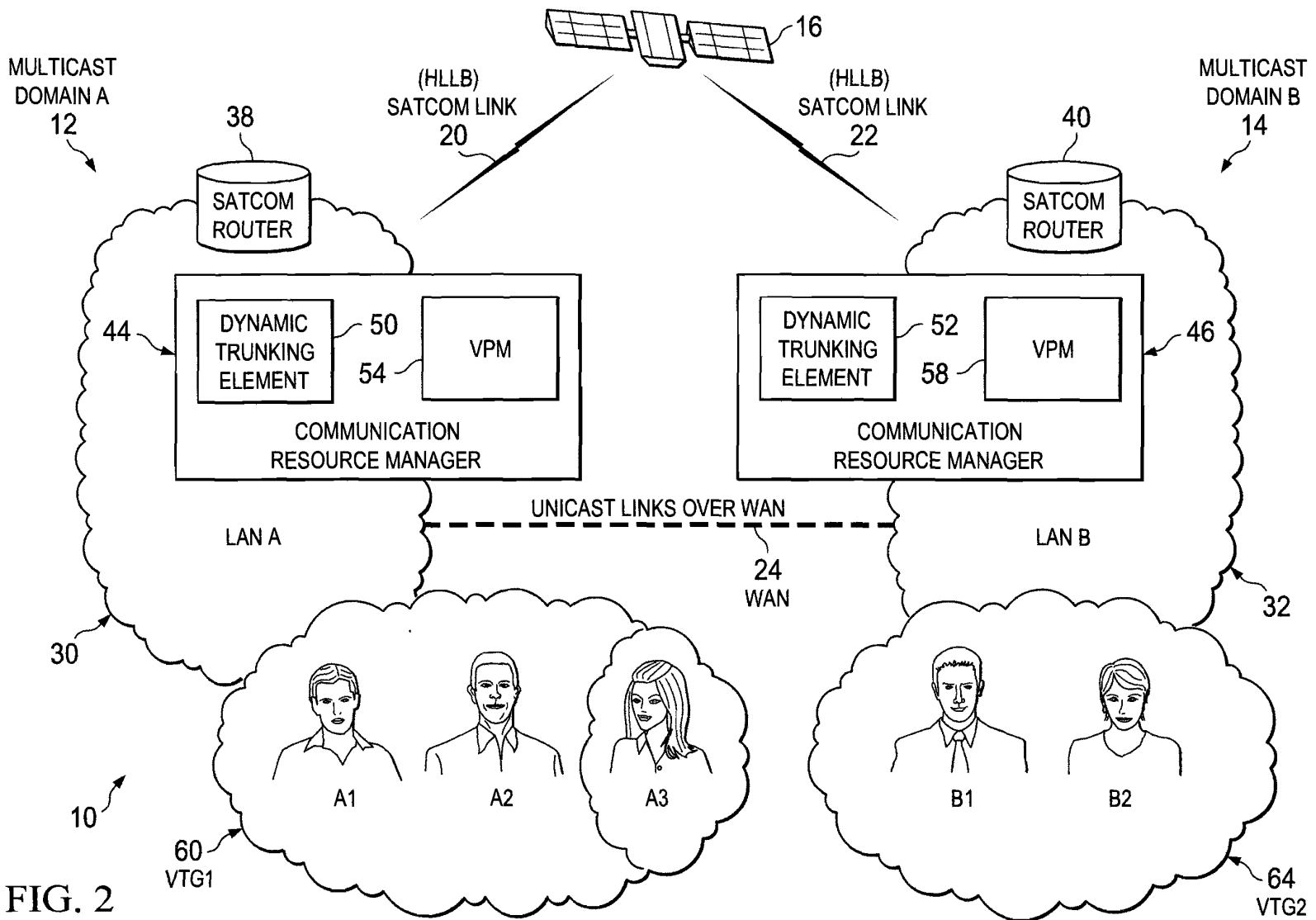


FIG. 2

3/4

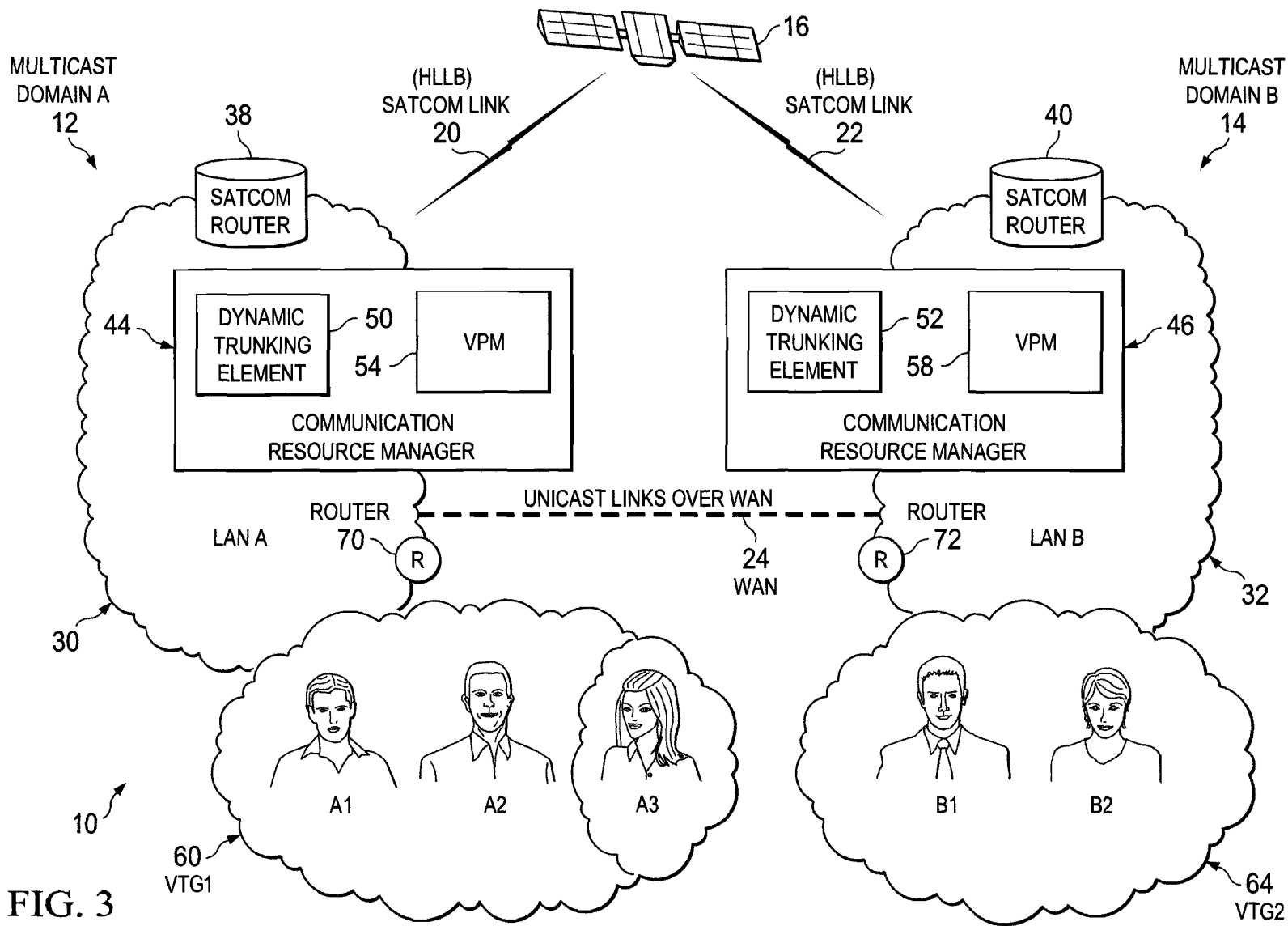


FIG. 3

4/4

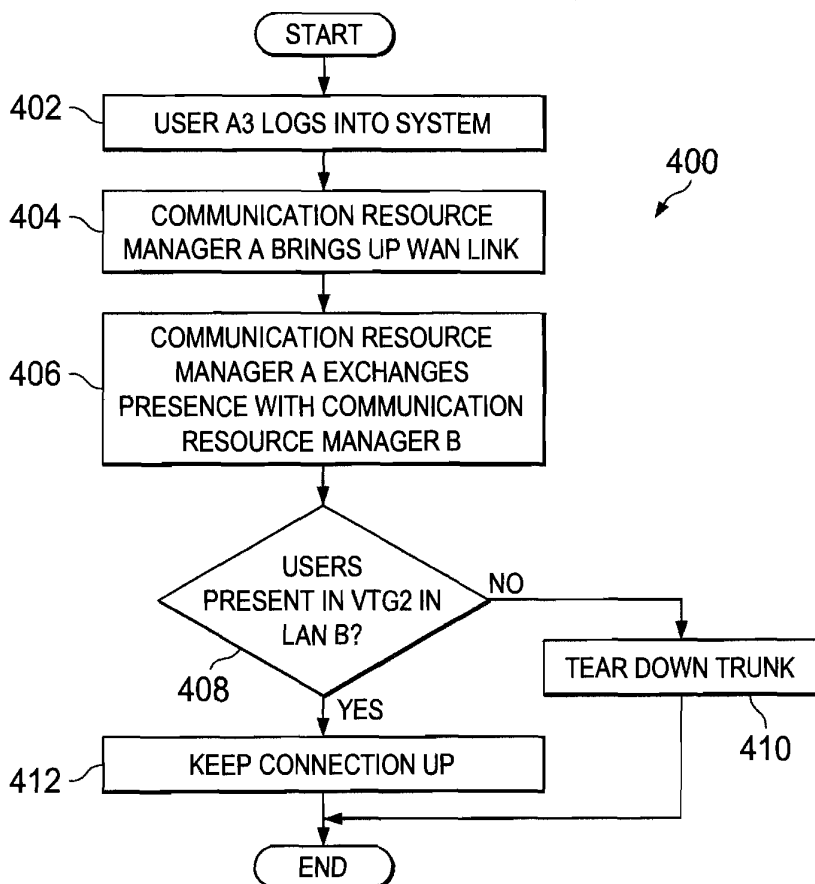


FIG. 4

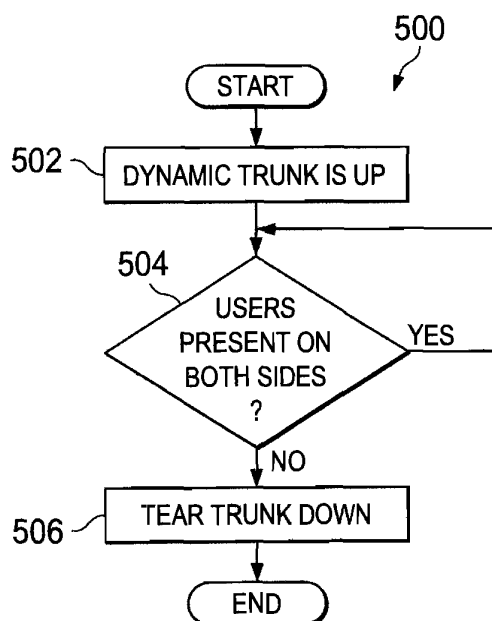


FIG. 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zeeshan Khan et al. Art Unit : Unassigned
Serial No. : Unassigned Examiner : Unassigned
Filed : September 2, 2008
Title : SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A
NETWORK ENVIRONMENT

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

INFORMATION DISCLOSURE STATEMENT

Applicant requests consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request. This statement is being filed with the application.

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes that no fee is due.

Respectfully submitted,

PATENT CAPITAL GROUP
Attorneys for Applicant

Date: September 2, 2008

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Customer No. **78855**

Substitute Form PTO-1449 U.S. Department of Commerce (Modified) Patent and Trademark Office Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	Attorney Docket No. 3919.0101	Application No. Unassigned
	Applicant(s): Zeeshan Khan et al.	
	Filing Date: September 2, 2008	Group Art Unit: Unassigned

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	6,507,562	01/14/2003	Kadansky et al.			
	AB	6,507,586	01/14/2003	Satran et al.			
	AC	6,741,575	05/25/2004	Zhang et al.			
	AD	6,981,032	12/27/2005	Boivie et al.			
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	AH	7,248,598	07/24/2007	Couty			
	AI	7,275,111	09/25/2007	Cabrera et al.			
	AJ	7,389,359	06/17/2008	Jain et al.			
	AK						

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AL							
	AM							

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AN	
	AO	

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Disclosure Form (PTO-1449)

Filing Date: 09/02/2008

Approved for use through 7/31/2006. 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.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/202,450	
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR
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	310
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A	510
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A	210
TOTAL CLAIMS (37 CFR 1.16(i))	21	minus 20 = 1	X\$ 25		2X\$50	50
INDEPENDENT CLAIMS (37 CFR 1.16(h))	4	minus 3 = 1	X\$105		1X\$210	210
APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$260 (\$130 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))						
			185		370	
			TOTAL		TOTAL	1290
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T FEE
(Column 1)		(Column 2)		(Column 3)		OR
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T 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 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.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/202,450	09/02/2008	2616	1290	3919.0101	21	4

CONFIRMATION NO. 1376

78855
Patent Capital Group
6119 McCommas Blvd
Dallas, TX 75214

FILING RECEIPT



OC000000032082861

Date Mailed: 09/18/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

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Keith Edmund O'Brien, Metuchen, NJ;
Shmuel Shaffer, Palo Alto, CA;

Assignment For Published Patent Application

Cisco Technology, Inc., San Jose, CA

Power of Attorney: The patent practitioners associated with Customer Number 78855

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 09/15/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/202,450**

Projected Publication Date: 03/04/2010

Non-Publication Request: No

Early Publication Request: No

Title

SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT

Preliminary Class

370

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

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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page 2 of 3

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APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
12/202,450		2618	



Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 86421 on 04/22/2009

- Correspondence Address
- Power of Attorney Address

The address of record for Customer Number 86421 is:

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

SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT, the specification of which was filed on September 2, 2008 and assigned Serial No. 12/202,450;

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed (Yes) (No)
-----NONE-----			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application
Serial Number

Date Filed

Status

I hereby appoint:

Practitioners at Customer Number

86421

all of the firm of the Patent Capital Group, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Thomas J. Frame

The above-mentioned Customer Number

Direct Telephone Calls To:

Thomas J. Frame

at 214.823.1241

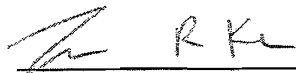
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ATTORNEY DOCKET NO.
03919.0101

SUPPLEMENTAL DECLARATION AND
POWER OF ATTORNEY
12/202,450

4

Inventor's signature:



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Date:

07/14/2008

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Citizenship:

US

ATTORNEY DOCKET NO.
03919.0101

SUPPLEMENTAL DECLARATION AND
POWER OF ATTORNEY
12/202,450

5

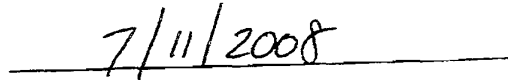
Inventor's signature:

A handwritten signature in black ink, appearing to read "KEITH O'BRIEN", written over a horizontal line.

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ATTORNEY DOCKET NO.
03919.0101

SUPPLEMENTAL DECLARATION AND
POWER OF ATTORNEY
12/202,450

6

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Electronic Acknowledgement Receipt	
EFS ID:	6798699
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Roseanne Cisneros de Chairez
Filer Authorized By:	Thomas John Frame
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Filing Date:	02-SEP-2008
Time Stamp:	08:59:03
Application Type:	Utility under 35 USC 111(a)

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Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Oath or Declaration filed	SupplementalDeclaration.pdf	37982 c72447ce78174eeb5201743b8a78fab72935410f	no	6

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.

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/202,450	09/02/2008	Zeeshan Khan	03919.0101

CONFIRMATION NO. 1376

86421

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PUBLICATION NOTICE



OC000000040417718

Title:SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT

Publication No.US-2010-0056196-A1

Publication Date:03/04/2010

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101	1376
86421	7590	04/27/2011	EXAMINER	
Patent Capital Group - Cisco			TRAN, PAUL P	
6119 McCommas			ART UNIT	PAPER NUMBER
Dallas, TX 75214			2618	
			NOTIFICATION DATE	DELIVERY MODE
			04/27/2011	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thomasframe@patcapgroup.com
patbradford@patcapgroup.com
peggsu@cisco.com

Office Action Summary	Application No. 12/202,450	Applicant(s) KHAN ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2618	

-- 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 02 September 2008.
 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 02 September 2008 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/SB/08) Paper No(s)/Mail Date _____.	4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) ☐ Notice of Informal Patent Application 6) ☐ Other: _____.
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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 9, line 19 of the specification, the term “**trashcoding**” is used for selection of bandwidth. The term “**trashcoding**” is not a standard term and since there is no definition to clarify the meaning of the usage of the term in the specification and in addition, the term can not be found in standard telecommunications dictionary; the examiner considers this term is a typographic error deviated from term “transcoding”?. Since the term is used in the claim as a feature of the invention, the Examiner suggests that the Applicant either provides a clear definition or fixes this error in the specification.

Claim Objections

2. The claim is objected to because of the following informalities:

2.1. Regarding Claim 5, the wording of the claim requires typographic and grammatical correction: the terms “managers each **include**” should be “managers, each **includes**”. A comma should be added after the following terms to improve the reading flow (commas are missing in the actual claim): “virtual talk group (VTG), presence managers (VPMs), each of which ...”.

Claim Rejections - 35 USC § 112

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

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

3. Claims 1, 9, 11, 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3.1. Regarding Claim 1, the phrase “wherein the managers determine ... users in the second domain” renders the claim indefinite, since it is unclear which manager between the first and the second will establish multicast link for one of the two domains. Also the words “the managers” have insufficient antecedent basis in the claim. Appropriate correction is required.

3.2. Regarding Claim 9, where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “**trascoding**” in claim 9 is used by the claim, while there is no clear meaning defined in the claim or in the specification. Actually, the specification also uses this same term without providing a definition. Due to its unclear meaning, the term

"trascoding" renders the claim indefinite. The Examiner suggests providing a clear definition for the term either in the specification or the claim or providing new term that conforms to the standard. The Examiner reads the term **"trascoding"** as "transcoding" in this Office action. Appropriate correction is required.

3.3. Regarding Claim 11, the claim is a method claim, containing no specific asserted utility to support the limitations of the claim. Due to the lack of utility, the claim is considered indefinite. Specifically, there is no utility in the claim to support the transforming actions of the functions in the following verbs such as: "interacting", "determining" in the claim. Appropriate correction is required.

3.4. Regarding Claims 13-15, due to the dependency to the base claim 11 and due to the lack of utility following in the above base claim. Claims 13-15 are considered indefinite. Specifically, there is no utility in the claim to support the transforming actions of the functions in the following verbs such as: "detecting", "maintaining" and "determining" in the above claims. Appropriate correction is required.

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.
4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US Pub. 2007/0036100, hereinafter "Shaffer") in view of White et al. (US Pub. 2009/0190734, hereinafter "White").

4.1. Regarding claims 1, 11 and 16, Shaffer discloses an apparatus {Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].}, comprising: a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain {Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of figure 2.}, wherein the managers determine whether to establish a link for multicasting between users in

the first domain and users in the second domain {Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to communicate with endpoint users within groups and other group of users in different networks.}, and the link between the domains is established based on location data of at least one user in the first domain and at least one user in the second domain {Col. 1: 47-Col. 2: 5; Fig. 7, S502-S508, the location information, i.e. presence data, of each endpoint is presented to IS for mapping multicast IP address and bridging up the communication links.}. Shaffer fails to disclose presence data, but instead discloses location data. Notwithstanding the fact that the location information is based for indicating and deriving the presence information; the Examiner provides extra reference to show the relationship between the location information and presence data.

White discloses the link between the domains is established based on presence data of at least one user one user in the first domain and at least one user in the second domain {White: Page 1: [0007]-[0009], call processing element CPE detects incoming call from users from another network or domain; retrieves presence information of the calling party and determine the presence information of the called party and its profile to determine how to respond to the incoming call. Page 1: [0014], the presence server derives presence data from user location; Fig. 6, Page 5: [0053]-[0057], processing state machine of a call handling based on target user presence information from network condition {0056}.}.

Since White {ABS; Figs. 1-3 and related sections} discloses a communication system containing core IP network multicasting protocols and network component structure similar to Shaffer; As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine White's call handling method to Shaffer location-based communication system to improve the incoming call handling in the midst of mobile user changing activity and locations (White: Page 1: [0002]).

4.2. Regarding claims 2-3 and 12, Shaffer and White disclose the apparatus of Claim 1, wherein the link is a satellite communication link {Shaffer: Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.}, and wherein the users of the first domain comprise a virtual talking group (VTG) {Shaffer: Fig. 7, Page 11: [0093]}.

4.3. Regarding claims 4, 13 and 17 Shaffer and White disclose the apparatus of Claim 1, wherein presence data 20 relates to whether a given end user has logged into their respective system {White: Fig. 1-2, Page 1: [0014], the presence system monitors cellular phone transitioning between the system. Page 5: [0044], presence system 133 for recording and monitoring activities of subscriber.}.

4.4. Regarding claim 5, Shaffer and White disclose the apparatus of Claim 1, wherein the communication resource managers each include respective virtual talk group (VTG), presence managers (VPMs) each of which is operable to monitor their users who are present in their respective domains {Shaffer: Fig. 2,

Page 4: [0040], OMA provides configuration, management and control of IS 50, OMA 50 monitors and provides communication channels and control VTG. White: Fig. 3, Page 3: [0025]-[0027], each CPE connects to a presence system 133 operable to monitor location and activities of subscriber as described in Page 1: 0014. }.

4.5. Regarding claims 6, 14 and 18, Shaffer and White disclose the apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation {White: Fig. 6, ref 622, Page 7: [0065], using presence information to allocate communication link resource to user.}.

4.6. Regarding claims 7, 15 and 19, Shaffer and White disclose the apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link {White: Fig. 6, 614-616, Page 6, based on presence information, if the called party is not able to receive call, CPE terminates the call.}.

4.7. Regarding claims 8 and 20, Shaffer and White disclose the apparatus of Claim 1, wherein the link is brought up based on a required bandwidth necessary for a user's anticipated application {White: Fig. 6, S620-622, Page 7: [0064]-[0065], the CPE brings up the call to the redirected location where the called party is detected by its presence.}.

Regarding claim 9, Shaffer and White disclose the apparatus of Claim 1, wherein the communication resource managers each include respective dynamic trunking

elements that can select [[transcoding]] a transcoding based on available bandwidth {White: Fig. 6, Page 7: [0066], CPE as resource manager can monitor the background process for the availability of resource to answer the call.}.

4.8. Regarding claim 10, Shaffer and White disclose the apparatus of Claim 1, further comprising: a router that establishes the link based on direction from the communication resource manager {White: Fig. 2, Page 2: [0017], PC 210 communicates via a data router 208 to bidirectional transfer data to the residential gateway 214.}.

4.9. Regarding claim 21, Shaffer discloses a system {Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].}, comprising: means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain {Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of figure 2.}; and means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain {Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to communicate with endpoint users within groups and other group of users in different networks.}, and the link between the domains is

established based on location data of at least one user in the first domain and at least one user in the second domain {Col. 1: 47-Col. 2: 5; Fig. 7, S502-S508, the location information, i.e. presence data, of each endpoint is presented to IS for mapping multicast IP address and bridging up the communication links}, wherein the link is a satellite communication link {Shaffer: Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.}, and wherein the users of the first domain comprise a virtual talking group (VTG) {Shaffer: Fig. 7, Page 11: [0093]}. Shaffer fails to disclose presence data, but instead discloses location data. Notwithstanding the fact that the location information is based for indicating and deriving the presence information; the Examiner provides extra reference to show the relationship between the location information and presence data.

White discloses the link between the domains is established based on presence data of at least one user one user in the first domain and at least one user in the second domain {White: Page 1: [0007]-[0009], call processing element CPE detects incoming call from users from another network or domain; retrieves presence information of the calling party and determine the presence information of the called party and its profile to determine how to respond to the incoming call. Page 1: [0014], the presence server derives presence data from user location; Fig. 6, Page 5: [0053]-[0057], processing state machine of a call handling based on target user presence information from network condition {0056}.}.

Since White {ABS; Figs. 1-3 and related sections} discloses a communication system containing core IP network multicasting protocols and network component structure similar to Shaffer; As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine White's call handling method to Shaffer location-based communication system to improve the incoming call handling in the midst of mobile user changing activity and locations (White: Page 1: [0002]).

Conclusion

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

- O'Shaughnessy et al. (U.S. Pub. 2008/0153531) teaches a presence engine system and method for encoding or decoding availability status into signal representative of an audio signal.
- McCanne (U.S. Pub. 20070028002) teaches an overlay routing computer networks performing multicast communication.
- Ozugur (U.S. Pub. 2006/0252444) teaches a presence enabled call hunting group for identifying availability of terminals using presence information.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAY MAUNG can be reached on 571-272-7882. 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.

/PAUL P TRAN/
Examiner, Art Unit 2618

April 25, 2011

Notice of References Cited	Application/Control No. 12/202,450		Applicant(s)/Patent Under Reexamination KHAN ET AL.	
	Examiner PAUL P. TRAN		Art Unit 2618	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2006/0252444	11-2006	Ozugur, Timucin	455/519
*	B	US-2007/0028002	02-2007	McCanne, Steven	709/238
*	C	US-2007/0036100	02-2007	Shaffer et al.	370/328
*	D	US-2008/0153531	06-2008	O'Shaughnessy et al.	455/518
*	E	US-2009/0190734	07-2009	WHITE et al.	379/201.02
	F	US-			
	G	US-			
	H	US-			
	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.

<i>Index of Claims</i> 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

✓	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	04/22/2011									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
	6	✓									
	7	✓									
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	18	✓									
	19	✓									
	20	✓									
	21	✓									

Search Notes 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

SEARCHED			
Class	Subclass	Date	Examiner
455	12.1,13.1- 13.328,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456. 1,456.2,456.3,518,519,520,521	4/22/2011	PT
370	328,329,338,351,352	4/22/2011	PT
379	201.1.202.01266.1	4/22/2011	PT
709	224,226,227,238,249	4/22/2011	PT

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	4/22/2011	PT
John Peng, Dan Swerdlow: Claim	4/20/2011	PT

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
Pub-Text Search	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) AND presence).clm.	4/22/2011	PT

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CONFIRMATION NO. 1376

SERIAL NUMBER 12/202,450	FILING or 371(c) DATE 09/02/2008 RULE	CLASS 455	GROUP ART UNIT 2618	ATTORNEY DOCKET NO. 03919.0101		
APPLICANTS Zeeshan Khan, Fremont, CA; Keith Edmund O'Brien, Metuchen, NJ; Shmuel Shaffer, Palo Alto, CA; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 09/15/2008						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and Acknowledged <u>/PAUL P TRAN/</u> Examiner's Signature		☐ Met after Allowance PT Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 4	TOTAL CLAIMS 21	INDEPENDENT CLAIMS 4
ADDRESS Patent Capital Group - Cisco 6119 McCommas Dallas, TX 75214 UNITED STATES						
TITLE SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT						
FILING FEE RECEIVED 1290	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		

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S2	14268	(455/404.2,456.1,518,519,520,521,450,451,452.1,452.2,452.3,452.4.cds.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 06:53
S1	783	(resource channel) WITH (manag\$3 management control\$4) SAME (presence) SAME (multi\$cast broadcast\$3 simul\$cast\$3 anycast\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 06:53
S4	43	S3 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 06:54
S3	46	S1 AND S2	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 06:54
S5	816	(resource channel bandwidth) WITH (manag\$3 management control\$4) SAME (presence) SAME (multi\$cast broadcast\$3 simul\$cast\$3 anycast\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:07
S7	333	S6 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:08

S6	397	S5 AND ("348"/\$.cls. "455"/\$.cls. "701"/\$.cls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:08
S9	52	S7 AND ((resource channel bandwidth) WITH (manag\$3 management control\$4) SAME (presence)).ab.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:09
S8	0	S7 AND ((resource channel bandwidth) WITH (manag\$3 management control\$4) SAME (presence)).ti.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:09
S10	86811	((manag\$3 management control\$4) SAME (presence)).ab.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:15
S11	6485	S10 AND (resource channel bandwidth) SAME (manag\$3 management control\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:16
S13	65	S12 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:17
S12	76	S11 AND multicast SAME (domain network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 07:17

S14	1679	455/518,519,520.cds.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 09:57
S16	209	S15 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 09:59
S15	215	S14 AND presence WITH (detect\$3 manag\$3 determin\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 09:59
S20	127	S19 AND (resource channel bandwidth) WITH (manag\$3 management control\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 11:35
S19	209	S18 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 11:35
S18	215	S17 AND presence WITH (detect\$3 manag\$3 determin\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 11:35
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S22	34	S21 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 11:58
S21	34	S17 AND satellite AND (resource bandwidth channel) WITH (Manag\$3 management control\$4) AND presence WITH (detect\$3 determin\$3 manag\$3 control\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 11:58
S24	2738	satellite WITH (link connection) AND (resource bandwidth channel) WITH (Manag\$3 management control\$4) AND presence WITH (detect\$3 determin\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 12:59
S27	191	S26 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 13:01
S26	237	S24 AND S25	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 13:01
S25	63162	(370/329,351,352.ccls. 379/201.1.202.01266.1.ccls. 455/17,404.2,456.1,518,519,520,521,450,451,452.1,452.2,452.3,452.4.ccls. 709/224,226,227,238,249.ccls. 726/6.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 13:01
S28	151	S27 AND (talk\$group group\$3 team cluster)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 13:14

S29	32	(US-20060018302-\$ or US-20050213563-\$ or US-20090190734-\$ or US-20040240652-\$ or US-20080199155-\$ or US-20100056196-\$ or US-20050261970-\$ or US-20090063686-\$ or US-20070028002-\$ or US-20030088696-\$ or US-20090300520-\$ or US-20060259958-\$ or US-20030022683-\$ or US-20060252444-\$ or US-20030003938-\$ or US-20050009537-\$ or US-20080153531-\$ or US-20060121923-\$ or US-20050232242-\$).did. or (US-7558235-\$ or US-7197126-\$ or US-7315617-\$ or US-7260632-\$ or US-6427170-\$ or US-7133928-\$ or US-7080157-\$ or US-6611872-\$ or US-7478172-\$ or US-6922547-\$ or US-7421281-\$ or US-7420956-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2011/04/20 16:07
S30	8	S29 AND (satellite)	US-PGPUB; USPAT; DERWENT	OR	ON	2011/04/20 16:08
S31	18253	455/12.1,13.1-13.4,17,404.2,456.1,518,519,520,521,450,451,452.1,452.2,452.3,452.4.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:18
S34	75	S33 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:20
S33	81	S31 AND S32	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:20
S32	1456	Satellite SAME (multicast\$3 anycast\$3 broadcasting) SAME (group)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:20
S38	76	S37 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:23
S37	82	S31 AND S36	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:23

S36	1488	Satellite SAME (multicast\$3 anycast\$3 broadcasting) SAME (group\$3 talk\$group\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:23
S35	1456	Satellite SAME (multicast\$3 anycast\$3 broadcasting) SAME (group talk\$group\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:23
S39	105	Satellite SAME (multicast\$3 anycast\$3 broadcasting) SAME (talk\$group\$3 (user subscriber) ADJ5 group)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:27
S41	5	S40 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:28
S40	6	S31 AND S39	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 16:28
S42	29	("4723264" "5274837" "5481258" "5625624" "5742639" "5930723" "5956390" "5956648" "5991599").PN. OR ("6122483").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/04/20 16:59
S43	57	("4951279" "5056136" "5216427" "5239647" "5303286" "5335358" "5371898" "5392355" "5394560" "5488649" "5515099" "5526404" "5533023" "5555257" "5586165" "5590395" "5592470" "5594740" "5594780" "5659878" "5717830" "5745161" "5754960" "5758079").PN. OR ("6112083").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/04/20 17:10
S44	4	satellite AND multi\$cast\$3 SAME (domain network area) AND talk\$group AND presence	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 18:34

S45	4	S44 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 18:35
S49	8	11/421,999	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/20 18:37
S50	79	("20010028321" "20020013813" "20020118796" "20020152305" "20020178364" "20030100326" "20040054428" "20040070515" "20040139320" "20040160458" "20040185863" "20040192353" "20040249949" "20050048987" "20050135348" "20050174991" "20050195774" "20050213739" "20050232207" "20050265256" "20060114847" "20060118636" "20060165060" "20070030144" "20070047479" "20070060144" "20070104121" "20070105578" "20070105579" "20070115848" "20070274611" "20080037461" "20080167049" "4359603" "4730306" "4746924" "5048082" "5099510" "5436896" "5539741" "5625407" "6011851" "6094578" "6178237" "6185205" "6204844" "6233315" "6327567" "6374100" "6400816" "6404873" "6408327" "6418214" "6453022" "6501739" "6608820" "6792092" "6850496" "6873854" "6882856" "6885874" "6912389" "6982961" "6987480" "6987841" "6993120" "6996406" "6999782" "6999783" "7003286" "7006607" "7010106" "7010109" "7010275" "7013279" "7031700" "7035385" "7058168" "7079857").PN. OR ("7869386").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/04/20 19:02
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S52	78	("20010028321" "20020013813" "20020118796" "20020152305" "20020178364" "20030100326" "20040054428" "20040070515" "20040139320" "20040160458" "20040185863" "20040192353" "20040249949" "20050048987" "20050135348" "20050174991" "20050195774" "20050232207" "20050265256" "20060114847" "20060118636" "20060165060" "20070030144" "20070047479" "20070060144" "20070104121" "20070105578" "20070105579" "20070115848" "20070274611" "20080037461" "20080167049" "4359603" "4730306" "4746924" "5048082" "5099510" "5436896" "5539741" "5625407" "6011851" "6094578" "6178237" "6185205" "6204844" "6233315" "6327567" "6374100" "6400816" "6404873" "6408327" "6418214" "6453022" "6501739" "6608820" "6792092" "6850496" "6873854" "6882856" "6885874" "6912389" "6982961" "6987480" "6987841" "6993120" "6996406" "6999782" "6999783" "7003286" "7006607" "7010106" "7010109" "7010275" "7013279" "7031700" "7035385" "7058168" "7079857").PN. OR ("7706339").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2011/04/20 22:24
S53	8	11/399031	US-PGPUB; USPAT; USOCR	OR	ON	2011/04/21 07:54
S55	2	("20070036100").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/21 07:56
S54	0	(2007/0036100).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/04/21 07:56
S57	3576	satellite NEAR9 (up\$link down\$link link) AND presence WITH (monitor\$3 determin\$3 updat\$3 verify\$3 manag\$3 control\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:26
S56	3637	presence WITH (monitor\$3 determin\$3 updat\$3 verify\$3 manag\$3 control\$4) AND satellite NEAR9 (uplink downlink link)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:26
S59	0	S58 AND (talk\$group)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:27

S58	3115	S57 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:27
S60	2199	S58 AND (talk\$group group)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:28
S61	126	S58 AND (talk\$group (dispatch\$3 ADJ3 group) (push\$talk press\$talk push\$cellular press\$cellular PTT PoC))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 11:30
L1	604	(Shaffer NEAR2 Shmuel).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 22:05
L2	1	(resource NEAR9 (manag\$3 control\$4) AND (second two another) ADJ9 resource NEAR9 (manag\$3 control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) SAME presence).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 22:14
L4	1	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) AND presence).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 22:16
L3	1	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) SAME presence).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/04/22 22:16

4/ 22/ 2011 11:11:46 PM

C:\Documents and Settings\pttran6\My Documents\EAST\Workspaces\A_12202450_PresenceResourceMgment.wsp

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2618
Examiner: Paul P. Tran
Title: *SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT*

MAIL STOP AMENDMENT

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

Dear Sir:

RESPONSE TO EXAMINER'S ACTION

In response to the Office Action mailed April 27, 2011, Applicant respectfully requests the Examiner to reconsider the claims in view of the following amendments and comments as set forth below. Please amend the Application as follows.

Amendments to the Specification:

Please replace the paragraph beginning at page 9, line 17, with the following amended paragraph:

In yet another embodiment, dynamic trunking elements 50 and 52 (in cooperation with the endpoints) automatically configure the system to select ~~trascoding~~ **transcoding** based on the available bandwidth. As a result, the endpoints are dynamically configured to ramp down the codec on the SatCom link, based on the available bandwidth over the SatCom link. Note that each SatCom link may adjust its codec according to the specific bandwidth it is able to reserve.

Amendments to the Claims:

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

Please amend the claims as follows:

1. (Currently Amended) An apparatus, comprising:
a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain, wherein the managers **first communication resource manager is configured to:**

determine whether to establish a link for multicasting between users in the first domain and users in the second domain, ~~and the link between the domains is established~~ based on presence data of at least one user in the first domain and at least one user in the second domain;

detect an absence of active users in the first domain and the second domain;
and
tear down the link based on the absence.

2. (Original) The apparatus of Claim 1, wherein the link is a satellite communication link.
3. (Original) The apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG).
4. (Original) The apparatus of Claim 1, wherein presence data relates to whether a given end user has logged into their respective system.

5. (Currently Amended) The apparatus of Claim 1, wherein the communication resource managers each ~~include~~ **includes** respective virtual talk group (VTG), presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains.

6. (Original) The apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation.

7. (Original) The apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link.

8. (Original) The apparatus of Claim 1, wherein the link is brought up based on a required bandwidth necessary for a user's anticipated application.

9. (Currently Amended) The apparatus of Claim 1, wherein the communication resource managers each include respective dynamic trunking elements that can select ~~transcoding~~ **transcoding** based on available bandwidth.

10. (Original) The apparatus of Claim 1, further comprising:
a router that establishes the link based on direction from the communication resource manager.

11. (Currently Amended) A method, comprising:
interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain; ~~and~~
determining whether to establish a link for multicasting between users in the first domain and users in the second domain, ~~and the link between the domains is established based on presence data of at least one user in the first domain and at least one user in the second domain;~~
detecting an absence of active users in the first domain and the second domain; and
tearing down the link based on the absence.

12. (Original) The method of Claim 11, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG).

13. (Original) The method of Claim 11, further comprising:
detecting whether a given end user has logged into their respective system in order to identify presence.

14. (Original) The method of Claim 11, further comprising:
maintaining a designated link bandwidth allocation based on a number of users who are logged into their respective systems.

15. (Original) The method of Claim 11, further comprising:
determining that there are no active users logged into their respective systems; and
tearing down the link.

16. (Currently Amended) Logic encoded in ~~one or more tangible~~ **non-transitory** media for execution and when executed by a processor operable to:

interact, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain; ~~and~~

determine whether to establish a link for multicasting between users in the first domain and users in the second domain, ~~and the link between the domains is established based on~~ presence data of at least one user in the first domain and at least one user in the second domain;

detect an absence of active users in the first domain and the second domain; and
tear down the link based on the absence.

17. (Original) The logic of Claim 16, wherein the logic is further operable to:
detect whether a given end user has logged into their respective system in order to identify presence.

18. (Original) The logic of Claim 16, wherein the logic is further operable to:
maintain a designated link bandwidth allocation based on a number of users who are logged into their respective systems.

19. (Original) The logic of Claim 16, wherein the logic is further operable to:
determine that there are no active users logged into their respective systems; and
tear down the link.

20. (Original) The logic of Claim 16, wherein the logic is further operable to:
anticipate bandwidth necessary for a user's application; and
bring up the link having the necessary bandwidth to accommodate the user's
application.

21. (Currently Amended) A system, comprising:

means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain; ~~and~~

means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain, ~~and the link between the domains is established~~ based on presence data of at least one user in the first domain and at least one user in the second domain, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG);

means for detecting an absence of active users in the first domain and the second domain; and

means for tearing down the link based on the absence.

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed April 27, 2011. At the time of the Office Action, Claims 1-21 were pending in the Application and stand rejected. Applicant amends several Independent Claims without prejudice or disclaimer. The amendments to these claims are not the result of any Prior Art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Interview Summary for July 27, 2011

Applicants thank the Examiner for the telephone interview on July 27, 2011, and for the thoughtful consideration of this case. No agreement was reached as a result of the Interview. Any subsequent amendments to the claims were not based on reasons related to patentability, and Applicants reserve the right for future commentary concerning the rationale behind these amendments.

Specification

The Examiner objected to the Specification because of suggested informalities. Applicant has amended the Specification to address the Examiner's concerns.

Claim Objections

The Examiner objected to Claim 5 because of suggested informalities. Applicant has amended these claims to address the Examiner's concern.

Section 112 Rejection

The Examiner rejects Claims 1, 9, 11 and 13-15 under 35 U.S.C. §112, second paragraph, as failing to point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant has made a small amendment to address the Examiner's concern.

Section 103 Rejections

The Examiner rejects Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2007/0036100 issued to Shaffer et al. (hereinafter "*Shaffer*") in view of U.S. Publication No. 2009/0190734 issued to White et al. (hereinafter "*White*").

Applicant respectfully reminds the Examiner that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.¹

It is respectfully submitted that the rejected claims are patentable over the art of record based on at least the third criterion of obviousness: none of the references alone or in combination teach, suggest, or disclose each claim limitation of the Independent Claims. Independent Claim 1 recites (*inter alia*) "...determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain...detect an absence of active users in the first domain and the second domain...tear down the link based on the absence."

¹ See M.P.E.P. §2142-43.

No reference discusses determining whether to establish a link for multicasting based on the presence data of two different users operating in two different domains. Additionally, no reference discusses ***detecting an absence of active users in two different domains and then tearing down that same link based on the absence***. These limitations are provided for in Independent Claim 1, but no reference of record includes such elements. Applicant has reviewed the cited references, and found nothing that would be relevant to these teachings.

For at least these reasons, Independent Claim 1 is allowable over any cited reference, or combination of references. The other Independent Claims recite limitations similar, but not identical, to those recited in Independent Claim 1. Therefore, these claims are also allowable, for example, for the same reasons as identified above. Additionally, the corresponding dependent claims from these Independent Claims are also patentably distinct for analogous reasons. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

12

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

No additional fees are believed due. However, please apply any other charges or credit any overpayment to Deposit Account No. 50-4889 of PATENT CAPITAL GROUP, referencing the attorney docket number referenced above.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at (214) 823-1241.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

/Thomas J. Frame/

Thomas J. Frame
Reg. No. 47,232

Date: July 27, 2011

Customer No. 86421

Electronic Acknowledgement Receipt	
EFS ID:	10610354
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Pat Bradford
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	03919.0101
Receipt Date:	27-JUL-2011
Filing Date:	02-SEP-2008
Time Stamp:	15:57:35
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2011-7-27-ResponseTo4-27-11NonfinalRejection.pdf	191845 c5e988164ba16a306f3973506c41564de8ef5ccee	yes	12

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Specification	2	2
	Claims	3	8
	Applicant Arguments/Remarks Made in an Amendment	9	12
Warnings:			
Information:			
Total Files Size (in bytes):		191845	
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 12/202,450		Filing Date 09/02/2008		☐ 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 \$ =			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.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	07/27/2011	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	** 21	= 0	X \$ =		OR	X \$2=	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X \$ =		OR	X \$220=	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	0
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))							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.										

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.

Legal Instrument Examiner:
/BRENDA HARRISON/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101	1376
86421	7590	10/17/2011	EXAMINER	
Patent Capital Group - Cisco 2816 Lago Vista Lane Rockwall, TX 75032			TRAN, PAUL P	
			ART UNIT	PAPER NUMBER
			2618	
			NOTIFICATION DATE	DELIVERY MODE
			10/17/2011	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thomasframe@patcapgroup.com
patbradford@patcapgroup.com
peggsu@cisco.com

Office Action Summary	Application No.	Applicant(s)	
	12/202,450	KHAN ET AL.	
	Examiner	Art Unit	
	PAUL P. TRAN	2618	

-- 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 27 July 2011.

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

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

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

5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-21 is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.

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

12) ☐ 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

13) ☐ 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) Paper No(s)/Mail Date. ____.
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date ____.	6) ☐ Other: ____.

DETAILED ACTION

Claimed Priority & Status

1. This priority benefit of filing date of 09/02/2008 from the non-provisional 12/202,450 application has been considered and granted in this application. Claims 1-21 are pending in this application.

Response to Arguments

2. Applicant's arguments in the remarks filed on 07/27/2011 with respect to claims 1-21 have been considered, but are moot in view of the new ground(s) of rejection.

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.

3. Claims 1-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shaffer et al. (US Pub. 2007/0036100, hereinafter "Shaffer") in view of Leitch (US Pub. 20080298330, hereinafter "Leitch").

3.1. Regarding claims 1, 11 and 16, Shaffer discloses an apparatus (Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].), comprising: a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of figure 2.), wherein the first communication resource manager is configured to: determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on location information of at least one user in the first domain and at least one user in the second domain {Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to communicate with endpoint users within groups and other group of users in different networks, based on location information of each endpoints presented to IS (Fig. 7, S508, Page 12: [0096]).};

However, Shaffer fails to disclose establishing link based on presence data and detecting an absence of active users in the first domain and the second domain; and tear down the link based on the absence.

Leitch discloses establishing link based on presence data and detecting an absence of active users in the first domain and the second domain; and tear down the link based on the absence {ABS; Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels between local nodes and consumer devices; Fig. 4, Page 4: [0040]-[0041], local wireless nodes 201-204 enable the wireless links based on the presence detection of the walk-by user detected by presence detectors 301-304; the wireless links, however, are disabled, i.e. tear-down, shortly after the user passed through the local area network domain to another LAN domain.}.

Both Leitch and Shaffer disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Leitch's presence detection scheme to Shaffer's communication based on location such that Shaffer's location detection can also be able to detect the presence of user to improve the controlling of the cost of deploying and of maintaining the network structure {Leitch: Page 1: [0010].}.

3.2. Regarding claims 2 and 12, Shaffer and Leitch disclose the apparatus of Claim 1, wherein the link is a satellite communication link { Shaffer: Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.}.

3.3. Regarding claim 3, Shaffer and Leitch disclose the apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG) {Shaffer: Fig. 7, Page 11: [0093]}.

3.4. Regarding claims 4, 13 and 17, Shaffer and Leitch disclose the apparatus of Claim 1, wherein presence data relates to whether a given end user has logged into their respective system {Leitch: Page 2: [0015], presence detection is to provide connection service for wireless communication device to the wireless network.}.

3.5. Regarding claim 5, Shaffer and Leitch disclose the apparatus of Claim 1, wherein the communication resource managers each includes respective virtual talk group (VTG)_L presence managers (VPMs)_L each of which is operable to monitor their users who are present in their respective domains { Shaffer: Fig. 2, Page 4: [0040], OMA provides configuration, management and control of IS 50, OMA 50 monitors and provides communication channels and control VTG. Leitch: Fig. 4, Page 4: [0040], each node includes a presence detector for monitors users in its domain.}.

3.6. Regarding claims 6, 14 and 18, Shaffer and Leitch disclose the apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation {Leitch: Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels. Page 3: [0031], channels bandwidth allocation follows variety of rules.}.

3.7. Regarding claims 7, 15 and 19, Shaffer and Leitch disclose the apparatus, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link {Leitch: Page 4: [0040], the presence detector 301-304 determines the user presence in the domain to control the disabling of the local wireless links.}.

3.8. Regarding claims 8 and 20, Shaffer and Leitch disclose the apparatus, wherein the link is brought up based on a required bandwidth necessary for a user's anticipated application {Leitch: Page 3: [0031], communication links are allocated based on bandwidth rules.}.

3.9. Regarding claim 9, Shaffer and Leitch disclose the apparatus, wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding based on available bandwidth {Shaffer: Page 11: [0091], IS50 may selectively allocate floor control based on geographic location of the endpoint and based on number of requesting endpoints.}.

3.10. Regarding claim 10, Shaffer and Leitch disclose the apparatus of Claim 1, further comprising: a router that establishes the link based on direction from the communication resource manager { Shaffer: Page 5: [0047], IS50 including switches, routers for accommodating particular operational needs.}.

3.11. Regarding claim 21, Shaffer discloses a system {Shaffer: Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].}, comprising: means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain {Shaffer: Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of figure 2.}; means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on location information of at least one user in the first domain and at least one user in the second domain {Shaffer: Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to communicate with endpoint users within groups and other group of users in different networks, based on location information of each endpoints presented to IS (Fig. 7, S508, Page 12: [0096]).}, wherein the link is a satellite communication link {Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.}, and wherein the users of the first domain comprise

a virtual talking group (VTG) {Shaffer: Fig. 7, Page 11: [0093]}; However, Shaffer fails to disclose means for determining to establish a link based on presence data and means for detecting an absence of active users in the first domain and the second domain; and means for tearing down the link based on the absence.

Leitch discloses means for determining to establish a link based on presence data and means for detecting an absence of active users in the first domain and the second domain; and means for tearing down the link based on the absence { ABS; Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels between local nodes and consumer devices; Fig. 4, Page 4: [0040]-[0041], local wireless nodes 201-204 enable the wireless links based on the presence detection of the walk-by user detected by presence detectors 301-304; the wireless links, however, are disabled, i.e. tear-down, shortly after the user passed through the local area network domain to another LAN domain.}.

Both Leitch and Shaffer disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Leitch's presence detection scheme to Shaffer's communication based on location such that Shaffer's location detection can also

able to detect the presence of user to improve the controlling of the cost of
deploying and of maintaining the network structure {Leitch: Page 1: [0010].}.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAY MAUNG can be reached on 571-272-7882. 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.

/NAY A MAUNG/ Supervisory Patent Examiner, Art Unit 2618	/PAUL P TRAN/ Examiner, Art Unit 2618 October 11, 2011
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Notice of References Cited	Application/Control No. 12/202,450	Applicant(s)/Patent Under Reexamination KHAN ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2618	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2008/0298330	12-2008	Leitch, Adam	370/338
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	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.

Search Notes 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

SEARCHED			
Class	Subclass	Date	Examiner
455	12.1,13.1- 13.328,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456. 1,456.2,456.3,518,519,520,521	4/22/2011	PT
370	328,329,338,351,352	4/22/2011	PT
379	201.1.202.01266.1	4/22/2011	PT
709	224,226,227,238,249	4/22/2011	PT
Text Search	All subclasses from above classes 455/ 370/ 379/ 709/	10/7/2011	PT

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	4/22/2011	PT
John Peng, Dan Swerdlow: Claim	4/20/2011	PT
East Search	10/7/2011	PT

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
Pub-Text Search	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) AND presence).clm.	4/22/2011	PT

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	4292	multicast\$3 SAME (manag\$3 management control\$4 budget\$3) WITH (link bandwidth frequenc\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:33
S2	1	S1 AND ((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3) WITH (link frequenc\$3 connection session communication channel) WITH (absence off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:40
S4	5	S3 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:42
S3	5	S1 AND ((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3) WITH (link frequenc\$3 connection session communication channel) WITH (presence absenc\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:42
S6	98	S5 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:49
S5	111	multicast\$3 AND ((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3) WITH (link frequenc\$3 bandwidth connection session communication channel) WITH (presence absenc\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 16:49
S7	52	(US-20060018302-\$ or US-20050213563-\$ or US-20090190734-\$ or US-20040240652-\$ or US-20080199155-\$ or US-20100056196-\$ or US-20050261970-\$ or US-20090063686-\$ or US-20070028002-\$ or US-20030088696-\$ or US-20090300520-\$ or US-20060259958-\$ or US-20030022683-\$ or US-20060252444-\$ or US-20030003938-\$ or US-20050009537-\$ or US-20080153531-\$ or US-20060121923-\$ or US-20050232242-\$ or US-20070280203-\$ or US-20050195774-\$ or US-20050213739-\$ or US-20070239824-\$ or US-20070036100-\$ or US-20070127374-\$ or US-20040218609-\$).did. or (US-7558235-\$ or US-7197126-\$ or US-7315617-\$ or US-7260632-\$ or US-6427170-\$ or US-7133928-\$ or US-7080157-\$ or US-6611872-\$ or US-7478172-\$ or US-6922547-\$ or US-7421281-\$ or US-7420956-\$ or US-5717830-\$ or US-6122483-\$ or US-6804528-\$ or US-6112083-\$ or US-5659878-\$ or US-5526404-\$ or US-7869386-\$ or US-7860070-\$ or US-7031700-\$ or US-7706339-\$ or US-7869387-\$ or US-5999525-\$ or US-6049548-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2011/10/06 17:57
S9	20	S8 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:32
S8	23	multicast\$3 ADJ9 (network domain cluster) AND ((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3) ADJ9 (link frequenc\$3 bandwidth connection session communication channel) WITH (presence absenc\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:32

S10	924	(network domain cluster) AND ((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3) ADJ9 (link frequenc\$3 bandwidth connection session communication channel) WITH (presence absenc\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:49
S13	41	S12 AND multi\$cast\$	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:51
S12	299	S11 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:51
S11	391	((tear\$3 bring\$3 tak\$3) ADJ5 (down out off) disconnect\$3 disabl\$3 remov\$3) ADJ9 (link connection session communication channel) WITH (presence absenc\$3 off\$line) SAME (network domain cluster)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 18:51
S14	56	(US-20100056196-\$ or US-20040184427-\$ or US-20050021699-\$ or US-20090164611-\$ or US-20050213563-\$ or US-20090300520-\$ or US-20090190734-\$ or US-20090063686-\$ or US-20080199155-\$ or US-20080153531-\$ or US-20070280203-\$ or US-20070239824-\$ or US-20070127374-\$ or US-20070036100-\$ or US-20070028002-\$ or US-20060121923-\$ or US-20060252444-\$ or US-20060259958-\$ or US-20060018302-\$ or US-20050261970-\$ or US-20050232242-\$ or US-20050213739-\$ or US-20050195774-\$ or US-20050009537-\$ or US-20040240652-\$ or US-20040218609-\$).did. or (US-20030088696-\$ or US-20030022683-\$ or US-20030003938-\$ or US-20050013270-\$).did. or (US-7869387-\$ or US-7869386-\$ or US-7860070-\$ or US-7706339-\$ or US-7558235-\$ or US-7478172-\$ or US-7421281-\$ or US-7420956-\$ or US-7315617-\$ or US-7260632-\$ or US-7197126-\$ or US-7133928-\$ or US-7080157-\$ or US-7031700-\$ or US-6922547-\$ or US-6804528-\$ or US-6611872-\$ or US-6427170-\$ or US-6122483-\$ or US-6112083-\$ or US-6049548-\$ or US-5999525-\$ or US-5717830-\$ or US-5659878-\$ or US-5526404-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2011/10/06 19:01
S16	4	S15 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:02
S15	4	S14 AND ((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off) disconnect\$3 disabl\$3 remov\$3) ADJ9 (link connection session communication channel) WITH (presence absenc\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:02
S19	2	S18 AND (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) ADJ9 (link connection session communication channel) WITH (non ADJ3 presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:08
S18	56	(US-20100056196-\$ or US-20040184427-\$ or US-20050021699-\$ or US-20090164611-\$ or US-20050213563-\$ or US-20090300520-\$ or US-20090190734-\$ or US-20090063686-\$ or US-20080199155-\$ or US-20080153531-\$ or US-20070280203-\$ or US-20070239824-\$ or US-20070127374-\$ or US-20070036100-\$ or US-20070028002-\$ or US-20060121923-\$ or US-20060252444-\$ or US-20060259958-\$ or US-20060018302-\$ or US-20050261970-\$ or US-20050232242-\$ or US-20050213739-\$ or US-20050195774-\$ or US-20050009537-\$ or US-20040240652-\$ or US-20040218609-\$).did. or (US-20030088696-\$ or US-20030022683-\$ or US-20030003938-\$ or US-20050013270-\$).did. or (US-7869387-\$ or US-7869386-\$ or US-7860070-\$ or US-7706339-\$ or US-7558235-\$ or US-7478172-\$ or US-7421281-\$ or US-7420956-\$ or US-7315617-\$ or US-7260632-\$ or US-7197126-\$ or US-7133928-\$ or US-7080157-\$ or US-7031700-\$ or US-6922547-\$ or US-6804528-\$ or US-6611872-\$ or US-6427170-\$ or US-6122483-\$ or US-6112083-\$ or US-6049548-\$ or US-5999525-\$ or US-5717830-\$ or US-5659878-\$ or US-5526404-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2011/10/06 19:08
S21	3	S18 AND (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) WITH (link connection session communication channel) WITH (non ADJ3 presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2011/10/06 19:10

			IBM_TDB			
S20	3	S18 AND (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) NEAR9 (link connection session communication channel) WITH (non ADJ3 presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:10
S23	7	S22 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:12
S22	7	S18 AND (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) WITH (link connection session communication channel) WITH (presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:12
S24	153500	((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) SAME (link connection session communication channel) SAME (presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:13
S25	39740	((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) WITH (link connection session communication channel) SAME (presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:14
S26	10313	((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3 remov\$3) WITH (link connection session communication channel) WITH (presen\$3 absen\$3 off\$line)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:15
S28	401	S27 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:17
S27	462	S26 AND (455/12.1,13.1-13.3,28.4,17,404.2,450,451,452.1,452.2,452.3,452.4,456.1,456.2,456.3,518,519,520,521.ccls. 370/328,329,338,351,352.ccls. 379/201.1.202.01,266.1.ccls. 709/224,226,227,238,249.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:17
S29	56	S28 AND multi\$cast\$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 19:18
S30	410993	(link connection session channel) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:48
S31	14444	(link connection session channel) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) SAME (presence availability absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:49
S33	1333	S31 AND S32	US-PGPUB; USPAT;	OR	ON	2011/10/06 22:50

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S32	84946	(455/12.1,13.1- 13.3,28,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456.1,456.2,456.3,518,519,520,521.ccls. 370/328,329,338,351,352.ccls. 379/201.1.202.01,266.1.ccls. 709/224,226,227,238,249.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:50
S35	350	S34 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:51
S34	381	S33 AND "455"/\$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:51
S37	490	S32 AND S36	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:52
S36	4371	(link connection session channel) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) WITH (presence availability absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:52
S39	426	S38 AND (network domain cluster)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:53
S38	435	S37 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:53
S41	63	S39 AND (presence availability).ab.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:54
S40	21	S39 AND (presence availability).ti.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:54
S43	24	S39 AND (multicast\$3 WITH (network domain cluster))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 22:57
S42	11	S39 AND (multicast\$3 ADJ9 (network domain cluster))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2011/10/06 22:57

			DERWENT; IBM_TDB			
S45	4507	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) WITH (presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:11
S44	5567	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) WITH (presence availability absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:11
S48	50	S32 AND S47	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:13
S47	485	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) WITH (according\$3 bas\$2 depend\$3) WITH (presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:13
S46	3568715	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) terminat\$3 disconnect\$3 disabl\$3) WITH (according\$3 bas\$2 depend\$3)(presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:13
S49	49	S48 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:14
S52	124	S51 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:42
S51	153	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3) WITH (according\$3 bas\$2 depend\$3) ADJ20 (presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:42
S50	260	(link connection session channel call) WITH (((tear\$3 bring\$3 tak\$3 shut\$4) ADJ5 (down out off)) disconnect\$3 disabl\$3) WITH (according\$3 bas\$2 depend\$3) WITH (presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/06 23:42
L1	2571	(link connection session channel call) WITH (user subscriber target destination) WITH (according\$3 bas\$2 depend\$3) WITH (presence absence)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/07 07:21
L3	426	L1 AND L2	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/07 07:22
L2	84946	(455/12.1,13.1-	US-PGPUB;	OR	ON	2011/10/07

		13.3,28,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456.1,456.2,456.3,518,519,520,521.ccls. 370/328,329,338,351,352.ccls. 379/201.1.202.01,266.1.ccls. 709/224,226,227,238,249.ccls.)	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			07:22
L4	331	L3 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/10/07 07:23

10/ 7/ 2011 8:00:04 AM
C:\Users\ptran6\Documents\EAST\Workspaces\A_12202450_PresenceResourceMgment.wsp

<i>Index of Claims</i> 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

✓	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	04/22/2011	10/07/2011							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							
	21	✓	✓							

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

Application Number	12/202,450	Filing Date	2008-09-02	Docket Number (if applicable)	03919.0101 (956591)	Art Unit	2618
First Named Inventor	Zeeshan Khan, et al.			Examiner Name	Paul P. Tran		

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 504889

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

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

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

Signature of Registered U.S. Patent Practitioner			
Signature	/Thomas J. Frame/	Date (YYYY-MM-DD)	2012-01-17
Name	Thomas J. Frame	Registration Number	47232

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.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2618
Examiner: Paul P. Tran
Title: *SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT*

MAIL STOP RCE

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

Dear Sir:

REQUEST FOR CONTINUED EXAMINATION

In response to the Final Office Action mailed October 17, 2011, Applicant respectfully requests the Examiner to reconsider the claims in view of the following amendments and comments as set forth below. Please amend the Application as follows.

Amendments to the Claims:

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

Please amend the claims as follows:

1. (Currently Amended) An apparatus, comprising:
a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain, wherein the first communication resource manager is configured to:
determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;
determine an application to be used in a communication session over the link;
allocate a bandwidth level to be used for the link to accommodate the application;
increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users;
detect an absence of active users in the first domain and the second domain; and
tear down the link based on the absence.
2. (Original) The apparatus of Claim 1, wherein the link is a satellite communication link.

3. (Original) The apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG).

4. (Currently Amended) The apparatus of Claim 1, wherein the additional presence data relates to whether a given end user has logged into their respective system.

5. (Previously Presented) The apparatus of Claim 1, wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains.

6. (Original) The apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation.

7. (Original) The apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link.

8. (Cancelled)

9. (Previously Presented) The apparatus of Claim 1, wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding_based on available bandwidth.

10. (Original) The apparatus of Claim 1, further comprising:
a router that establishes the link based on direction from the communication resource manager.

11. (Currently Amended) A method, comprising:
- interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;
- determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;
- determining an application to be used in a communication session over the link;**
- allocating a bandwidth level to be used for the link to accommodate the application;**
- increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users;**
- detecting an absence of active users in the first domain and the second domain; and
- tearing down the link based on the absence.
12. (Original) The method of Claim 11, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG).
13. (Currently Amended) The method of Claim 11, further comprising:
- detecting whether a given end user has logged into their respective system in order to identify **the additional** presence **data**.
14. (Original) The method of Claim 11, further comprising:
- maintaining a designated link bandwidth allocation based on a number of users who are logged into their respective systems.
15. (Cancelled)

16. (Currently Amended) Logic encoded in non-transitory media for execution and when executed by a processor operable to:

interact, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determine an application to be used in a communication session over the link;

allocate a bandwidth level to be used for the link to accommodate the application;

increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users;

detect an absence of active users in the first domain and the second domain; and

tear down the link based on the absence.

17. (Currently Amended) The logic of Claim 16, wherein the logic is further operable to:

detect whether a given end user has logged into their respective system in order to identify **the additional** presence **data**.

18. (Original) The logic of Claim 16, wherein the logic is further operable to:

maintain a designated link bandwidth allocation based on a number of users who are logged into their respective systems.

19. (Cancelled)

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

7

20. (Cancelled)

21. (Currently Amended) A system, comprising:

means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG);

means for determine an application to be used in a communication session over the link;

means for allocate a bandwidth level to be used for the link to accommodate the application;

means for increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users;

means for detecting an absence of active users in the first domain and the second domain; and

means for tearing down the link based on the absence.

REMARKS

Applicant has carefully reviewed the Application in light of the Final Office Action mailed October 17, 2011. At the time of the Office Action, Claims 1-21 were pending in the Application and stand rejected. Applicant amends several Independent Claims without prejudice or disclaimer. The amendments to these claims are not the result of any Prior Art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Interview Summary

Applicants thank the Examiner for the telephone interview on January 17, 2012, and for the thoughtful consideration of this case. No agreement was reached as a result of the Interview. Any subsequent amendments to the claims were not based on reasons related to patentability, and Applicants reserve the right for future commentary concerning the rationale behind these amendments.

Section 103 Rejections

The Examiner rejects Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2007/0036100 issued to Shaffer et al. (hereinafter "*Shaffer*") in view of U.S. Publication No. 2008/0298330 issued to Leitch (hereinafter "*Leitch*").

Applicant respectfully reminds the Examiner that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one

of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.¹

It is respectfully submitted that the rejected claims are patentable over the art of record based on at least the third criterion of obviousness: none of the references alone or in combination teach, suggest, or disclose each claim limitation of the Independent Claims. Independent Claim 1 recites (*inter alia*) "...*determine an application to be used in a communication session over the link...allocate a bandwidth level to be used for the link to accommodate the application...increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users....*"

No reference discusses determining an application to be used in a communication session over the link, and then subsequently ***allocating a bandwidth level to be used for the link to accommodate the application***. The cited references are simply silent on these features. In addition, no reference discusses increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users. These limitations are provided for in Independent Claim 1, but no reference of record includes such elements. Applicant has reviewed the cited references, and found nothing that would be relevant to these teachings.

For at least these reasons, Independent Claim 1 is allowable over any cited reference, or combination of references. The other Independent Claims recite limitations similar, but not identical, to those recited in Independent Claim 1. Therefore, these claims are also allowable, for example, for the same reasons as identified above. Additionally, the corresponding dependent claims from these Independent Claims are also patentably distinct for analogous

¹ See M.P.E.P. §2142-43.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

11

reasons. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

12

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

The Request for Continued Examination fee for \$930 is being paid concurrently herewith via the Electronic Filing System (EFS) by way of Deposit Account No. 50-4889 authorization. No additional fees are believed due. However, please apply any other charges or credit any overpayment to Deposit Account No. 50-4889 of PATENT CAPITAL GROUP, referencing the attorney docket number referenced above.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at (214) 823-1241.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

/Thomas J. Frame/

Thomas J. Frame
Reg. No. 47,232

Date: January 17, 2012

Customer No. 86421

Electronic Patent Application Fee Transmittal				
Application Number:		12202450		
Filing Date:		02-Sep-2008		
Title of Invention:		SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
First Named Inventor/Applicant Name:		Zeeshan Khan		
Filer:		Thomas John Frame/Pat Bradford		
Attorney Docket Number:		03919.0101 (956591)		
Filed as Large Entity				
Utility under 35 USC 111(a) 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:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for continued examination	1801	1	930	930
Total in USD (\$)				930

Electronic Acknowledgement Receipt	
EFS ID:	11852319
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Pat Bradford
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	03919.0101 (956591)
Receipt Date:	17-JAN-2012
Filing Date:	02-SEP-2008
Time Stamp:	16:07:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 930
RAM confirmation Number	3452
Deposit Account	504889
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Request for Continued Examination (RCE)	2012-1-17-RCETransmittal.pdf	697276 ea3dac8ec117a24d9e8a56ecf09598b639a a8026	no	3
Warnings:					
Information:					
2		2012-1-17-RCEResponseTo10-17-11Final.pdf	190479 ff1589099845c8a12d30dbaeb2398e1a7a3 77138	yes	12
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment Submitted/Entered with Filing of CPA/RCE		1	1	
	Claims		2	8	
	Applicant Arguments/Remarks Made in an Amendment		9	12	
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31024 dfc98887d6683615c9be528240206dd3849 724d0	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			918779		
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.					



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376
86421	7590	06/08/2012	EXAMINER	
Patent Capital Group - Cisco 2816 Lago Vista Lane Rockwall, TX 75032			TRAN, PAUL P	
			ART UNIT	PAPER NUMBER
			2618	
			NOTIFICATION DATE	DELIVERY MODE
			06/08/2012	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thomasframe@patcapgroup.com
patbradford@patcapgroup.com
peggsu@cisco.com

Office Action Summary	Application No.	Applicant(s)	
	12/202,450	KHAN ET AL.	
	Examiner	Art Unit	
	PAUL P. TRAN	2618	

-- 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 17 January 2012.

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

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5) ☒ Claim(s) 1-7,9-14,16-18 and 21 is/are pending in the application.

5a) Of the above claim(s) 8,15,19 and 20 is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-7,9-14,16-18 and 21 is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.

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

12) ☐ 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

13) ☐ 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) Paper No(s)/Mail Date. ____.
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date ____.	6) ☐ Other: ____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments in the remarks filed on 01/17/2012 with respect to claims 1-7, 9-14, 16-18 and 21 have been considered, but are moot in view of the new ground(s) of rejection. Claims 1-7, 9-14, 16-18 and 21 are pending in this application. Claims 8, 15, 19 and 20 have been cancelled by the Applicant.

Claim Rejections - 35 USC § 101

The 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 16-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

2.1. Claim 16 is claiming for "logic", although the "logic" is encoded in non-transitory media; the main goal of the claim is claiming the "logic". Since the specifications do not specify a meaning of this term and it's well known to the skilled in the art that the term "logic" itself can be understood as mathematical abstracts or computational instructions, which are not belonging to one of the

four categories defined under 35 U.S.C. 101 as shown above. Therefore, the claim is considered directed to a non-statutory subject matter and thus non-patentable subject matter. Appropriate correction is required.

2.2. Regarding claims 17 and 18, due to their dependency to the rejected base claim, claims 17 and 18 are therefore also rejected under 35 U.S.C. 101. Appropriate correction is required.

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.

3. Claims 1-7, 9-14, 16-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. (US Pub. 2007/0036100, hereinafter "Shaffer") in view of Leedom et al. (US Pub. 20040143663, hereinafter "Leedom") and further in view of Leitch (US Pub. 20080298330, hereinafter "Leitch").

3.1. Regarding claims 1, 11 and 16, Shaffer discloses an apparatus { *Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].* }, comprising: a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain { *Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of figure 2.* }, wherein the first communication resource manager is configured to: determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain { *Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to communicate with endpoint users within groups and other group of users in different networks, based on location information of each endpoints presented to IS (Fig. 7, S508, Page 12: [0096]).* }; However, Shaffer fails to disclose determine an application to be used in a communication session over the link; allocate a bandwidth level to be used for

the link to accommodate the application; increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users; establish a link based on presence data and detect an absence of active users in the first domain and the second domain; and tear down the link based on the absence.

Leedom discloses determine an application to be used in a communication session over the link { *Fig. 7, ref 102-104, Page 9: [0089], a BMAC 12 collects bandwidth use data by the application.*}; allocate a bandwidth level to be used for the link to accommodate the application {*Fig. 7, ref 108, Page 10: [0092], bandwidth is assigned to respective application(s) based on constraints.*}; increase the bandwidth level for the link based on a change in the application {*Leedom: Fig. 12B, Page 12: threshold margin can be used to estimate the incremental bandwidth constraint to increase or decrease bandwidth for the application.*}.

Similarly to Shaffer, Leedom discloses a system and method of controlling management of communication network distributed among multiple domains {*ABS*}; As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of Shaffer and Leedom before him at the time the invention was made to add the bandwidth allocation management taught by Leedom to Shaffer's presence-based network as with the bandwidth allocation, Shaffer's presence-based network can monitor the bandwidth availability to improve system efficiency and integrated aggregate performance of the network

centric system { Leedom: page 12: [0116].}. However Shaffer and Leedom fail to disclose increasing the bandwidth level for the link based on an identification of additional presence data for additional users; establish a link based on presence data and detect an absence of active users in the first domain and the second domain; and tear down the link based on the absence.

Leitch discloses increasing the bandwidth level for the link based on an identification of additional presence data for additional users { *Leitch: Page 3: [0031]-[0034], additional node or node bandwidth can be allocated in a call center or a meeting room where the system expects to have additional users coming to the area in near future.*}; establish a link based on presence data and detect an absence of active users in the first domain and the second domain; and tear down the link based on the absence { *ABS; Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels between local nodes and consumer devices; Fig. 4, Page 4: [0040]-[0041], local wireless nodes 201-204 enable the wireless links based on the presence detection of the walk-by user detected by presence detectors 301-304; the wireless links, however, are disabled, i.e. tear-down, shortly after the user passed through the local area network domain to another LAN domain.*}.}

Both Leitch and Shaffer disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would

have been obvious to one having ordinary skill in the art, having the teachings of Shaffer and Leitch before him at the time the invention was made to modify presence detection based on additional number of users as taught by Leitch to Shaffer presence-based management, as with the Leitch presence-based detection method, Shaffer presence-based management can allocate additional bandwidth to handle more load in the user crowded area to improve the controlling of the cost of deploying and of maintaining the network structure {*Leitch: Page 1: [0010].*}.

3.2. Regarding claims 2 and 12, Shaffer, Leedom and Leitch disclose the apparatus of Claim 1, wherein the link is a satellite communication link {*Shaffer: Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.*}.

3.3. Regarding claim 3, Shaffer and Leedom disclose the apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG) {*Shaffer: Fig. 7, Page 11: [0093]*}.

3.4. Regarding claims 4, 13 and 17, Shaffer and Leedom disclose the apparatus of Claim 1, wherein the additional presence data relates to whether a given end user has logged into their respective system {*Leitch: Page 2: [0015], presence detection is to provide connection service for wireless communication device to the wireless network.*}.

3.5. Regarding claims 5, Shaffer and Leedom disclose the apparatus of Claim 1, wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains *{Shaffer: Fig. 2, Page 4: [0040], OMA provides configuration, management and control of IS 50, OMA 50 monitors and provides communication channels and control VTG. Leitch: Fig. 4, Page 4: [0040], each node includes a presence detector for monitors users in its domain.}*

3.6. Regarding claims 6, 14 and 18, Shaffer and Leedom disclose the apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation *{Leitch: Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels. Page 3: [0031], channels bandwidth allocation follows variety of rules.}*

3.7. Regarding claim 7, Shaffer and Leedom disclose the apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link *{Leitch: Page 4: [0040], the presence detector 301-304 determines the user presence in the domain to control the disabling of the local wireless links.}*

3.8. Regarding claims 9, Shaffer and Leedom disclose the apparatus of Claim 1, wherein the communication resource managers each include respective

dynamic trunking elements that can select transcoding based on available bandwidth *{Shaffer: Page 11: [0091], IS50 may selectively allocate floor control based on geographic location of the endpoint and based on number of requesting endpoints.}*.

3.9. Regarding claims 10, Shaffer and Leedom disclose the apparatus of Claim 1, further comprising: a router that establishes the link based on direction from the communication resource manager *{Shaffer: Page 5: [0047], IS50 including switches, routers for accommodating particular operational needs.}*.

3.10. Regarding claim 21, Shaffer discloses a system *{Shaffer: Fig. 1, ref 20, Page 2: [21]; [0027]-Page 3: [0030].}*, comprising: means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain *{Shaffer: Fig. 1, ref 20, Page 2: [21]; [0026]-[0027], a interoperability system (IS) 20 interfaced with a group of local endpoint users 22a-c of network 24e in communicating with other radio users of network 24a; radio user such as user 70 (Fig. 2), which receives resource allocation and service within network 24a-d under the control of a second communication resource manager such as IS50 of Fig. 2.}*; means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain *{Shaffer: Fig. 1, Page 3: [0028], IS20 determines to use multicast IP address to*

communicate with endpoint users within groups and other group of users in different networks, based on location information of each endpoints presented to IS (Fig. 7, S508, Page 12: [0096])., wherein the link is a satellite communication link {Page 3: [0030]-[0031], endpoints can use technologies as cellular, IP network and/or satellite, etc.}, and wherein the users of the first domain comprise a virtual talking group (VTG) {Shaffer: Fig. 7, Page 11: [0093].}; However, Shaffer fails to disclose means for determine an application to be used in a communication session over the means for allocate a bandwidth level to be used for the link to accommodate the application; means for increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users; means for detecting an absence of active users in the first domain and the second domain; and means for tearing down the link based on the absence.

Leedom discloses means for determine an application to be used in a communication session over the link { Fig. 7, ref 102-104, Page 9: [0089], a *BMAC 12 collects bandwidth use data by the application.*}; means for allocate a bandwidth level to be used for the link to accommodate the application {Fig. 7, ref 108, Page 10: [0092], *bandwidth is assigned to respective application(s) based on constraints.*}; means for increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users {Leedom: Fig. 12B, Page 12: *threshold margin can be*

used to estimate the incremental bandwidth constraint to increase or decrease bandwidth for the application.}.

Similarly to Shaffer, Leedom discloses a system and method of controlling management of communication network distributed among multiple domains {ABS}; As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of Shaffer and Leedom before him at the time the invention was made to add the bandwidth allocation management taught by Leedom to Shaffer's presence-based network as with the bandwidth allocation, Shaffer's presence-based network can monitor the bandwidth availability to improve system efficiency and integrated aggregate performance of the network centric system { Leedom: page 12: [0116].}. However, Shaffer and Leedom fail to disclose means for increase the bandwidth level for the link based on an identification of additional presence data for additional users; means for determining to establish a link based on presence data and means for detecting an absence of active users in the first domain and the second domain; and means for tearing down the link based on the absence.

Leitch discloses means for increase the bandwidth level for the link based on an identification of additional presence data for additional users { Leitch: Page 3: [0031]-[0034], *additional node or node bandwidth can be allocated in a call center or a meeting room where the system expects to have additional users coming to the area in near future.*}; means for determining to establish a link based on presence data and means for detecting an absence of active users in

the first domain and the second domain; and means for tearing down the link based on the absence { *ABS; Page 3: [0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels between local nodes and consumer devices; Fig. 4, Page 4: [0040]-[0041], local wireless nodes 201-204 enable the wireless links based on the presence detection of the walk-by user detected by presence detectors 301-304; the wireless links, however, are disabled, i.e. tear-down, shortly after the user passed through the local area network domain to another LAN domain.* }.

Both Leitch and Shaffer disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of Shaffer and Leitch before him at the time the invention was made to modify presence detection based on additional number of users as taught by Leitch to Shaffer presence-based management, as with the Leitch presence-based detection method, Shaffer presence-based management can allocate additional bandwidth to handle more load in the user crowded area to improve the controlling of the cost of deploying and of maintaining the network structure { *Leitch: Page 1: [0010].* }.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW ANDERSON can be reached on 571-272-4177. 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.

/Andrew Wendell/ Primary Examiner, Art Unit 2618	/PAUL P TRAN/ Examiner, Art Unit 2618 June 4, 2012
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Application/Control Number: 12/202,450
Art Unit: 2618

Page 14

Notice of References Cited	Application/Control No. 12/202,450	Applicant(s)/Patent Under Reexamination KHAN ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2618	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0143663	07-2004	Leedom et al.	709/226
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	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.

Search Notes 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

SEARCHED			
Class	Subclass	Date	Examiner
455	12.1,13.1- 13.328,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456. 1,456.2,456.3,518,519,520,521	4/22/2011	PT
370	328,329,338,351,352	4/22/2011	PT
379	201.1.202.01266.1	4/22/2011	PT
709	224,226,227,238,249	4/22/2011	PT
Text Search	All subclasses from above classes 455/ 370/ 379/ 709/	10/7/2011	PT
Text Search	all subclasses under 455/ 370/ 379/ 7-9/ 726/	6/2/2012	PT

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	4/22/2011	PT
John Peng, Dan Swerdlow: Claim	4/20/2011	PT
East Search	10/7/2011	PT
East Search	6/2/2012	PT

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
Pub-Text Search	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) AND presence).clm.	4/22/2011	PT

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<i>Index of Claims</i> 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

✓	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	04/22/2011	10/07/2011	06/02/2012						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	-						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
	12	✓	✓	✓						
	13	✓	✓	✓						
	14	✓	✓	✓						
	15	✓	✓	-						
	16	✓	✓	✓						
	17	✓	✓	✓						
	18	✓	✓	✓						
	19	✓	✓	-						
	20	✓	✓	-						
	21	✓	✓	✓						

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2020871	(resource bandwidth channel frequenc\$3 power) NEAR3 (manag\$3 management control\$4 administrat\$3 administration allocat\$3 distribut\$3 arrang\$3 arrangement assign\$3 assignment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 15:47
S2	5768	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group neear2 area)) AND (multicast\$3 NEAR4 network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:00
S3	4446	S2 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:01
S4	667197	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group neear2 area))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:01
S5	118001	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group neear2 area)) WITH (communicat\$3 interact\$3 interwork\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:02
S6	208816	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group neear2 area)) WITH (communicat\$3 interact\$3 interwork\$3 interconnect\$3 connect\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:04
S7	225058	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group neear2 area)) WITH (communicat\$3 interact\$3 interwork\$3 interconnect\$3 connect\$3 interfac\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:05
S8	1	S7 AND (establish\$3 generat\$3	US-PGPUB;	OR	ON	2012/06/01

		creat\$3 transmit\$3 send\$3 broadcast\$3 emitt\$3) NEAR3 multi\$cast\$3 WITH (different second another) NEAR5 (domain subnet cluster system (group near2 area)) SAME (detect\$3 identif\$4 determin\$3) WITH presence NEAR5 (user client subscriber customer)	USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			16:12
S9	4915	S1 AND (multiple multiplicity plural\$3 many several numerous two second threee) NEAR3 (domain subnet cluster system (group NEAR2 area)) AND (multicast\$3 NEAR4 network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:14
S10	1	S7 AND (establish\$3 generat\$3 creat\$3 transmit\$3 send\$3 broadcast\$3 emitt\$3) WITH multi\$cast\$3 WITH (different second another) NEAR5 (domain subnet cluster system (group NEAR2 area)) SAME (detect\$3 identif\$4 determin\$3) WITH presence NEAR5 (user client subscriber customer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:20
S11	2687	S7 AND (establish\$3 generat\$3 creat\$3 transmit\$3 send\$3 broadcast\$3 emitt\$3) WITH multi\$cast\$3 WITH (domain subnet cluster system (group NEAR2 area))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:21
S12	23	S11 AND (detect\$3 identif\$4 determin\$3) WITH presence NEAR5 (user client subscriber customer)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:21
S13	251	S11 AND (detect\$3 identif\$4 determin\$3) WITH presence	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:22
S14	160	S13 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:29
S15	3870	(control\$4 allocat\$3 distribut\$3 arrang\$3 arrangement assign\$3 assignment determin\$3) WITH (bandwidth resource frequenc\$3 rate) NEAR5 (session link connection) WITH (application)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 16:35
S16	9	S14 AND (control\$4 allocat\$3 distribut\$3 arrang\$3 arrangement	US-PGPUB; USPAT;	OR	ON	2012/06/01 16:36

		assign\$3 assignment determin\$3) WITH (bandwidth resource frequenc\$3 rate) NEAR5 (session link connection) WITH (application)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S17	2020871	(resource bandwidth channel frequenc\$3 power) NEAR3 (manag\$3 management control\$4 administrat\$3 administration allocat\$3 distribut\$3 arrang\$3 arrangement assign\$3 assignment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 18:51
S18	225058	S17 AND (multiple multiplicity plural\$3 many several numerous two second three) NEAR3 (domain subnet cluster system (group near\$2 area)) WITH (communicat\$3 interact\$3 interwork\$3 interconnect\$3 connect\$3 interfac\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 18:51
S19	2687	S18 AND (establish\$3 generat\$3 creat\$3 transmit\$3 send\$3 broadcast\$3 emitt\$3) WITH multi\$cast\$3 WITH (domain subnet cluster system (group NEAR2 area))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 18:51
S20	251	S19 AND (detect\$3 identif\$4 determin\$3) WITH presence	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 18:51
S21	160	S20 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/06/01 18:51

6/2/2012 10:09:05 PM

C:\Users\ptran6\Documents\EAST\Workspaces\A_12202450_PresenceResourceMgment_2.wsp

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2618
Examiner: Paul P. Tran
Title: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT

MAIL STOP AMENDMENT

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

Dear Sir:

RESPONSE TO EXAMINER'S ACTION

In response to the Office Action mailed June 8, 2012, Applicant respectfully requests the Examiner to reconsider the claims in view of the following amendments and comments as set forth below. Please amend the Application as follows.

Amendments to the Claims:

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

Please amend the claims as follows:

1. (Currently Amended) An apparatus, comprising:

a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain, wherein the first communication resource manager is configured to:

determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determine an application to be used in a communication session over the link;

allocate a bandwidth level to be used for the link to accommodate the application;

increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users **that have joined the communication session;**

adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

detect an absence of active users in the first domain and the second domain; and
tear down the link based on the absence.

2. (Original) The apparatus of Claim 1, wherein the link is a satellite communication link.

3. (Original) The apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG).

4. (Previously Presented) The apparatus of Claim 1, wherein the additional presence data relates to whether a given end user has logged into their respective system.

5. (Previously Presented) The apparatus of Claim 1, wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains.

6. (Original) The apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation.

7. (Original) The apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link.

8. (Cancelled)

9. (Previously Presented) The apparatus of Claim 1, wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding based on available bandwidth.

10. (Original) The apparatus of Claim 1, further comprising:
a router that establishes the link based on direction from the communication resource manager.

11. (Currently Amended) A method, comprising:

- interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;
- determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;
- determining an application to be used in a communication session over the link;
- allocating a bandwidth level to be used for the link to accommodate the application;
- increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users **that have joined the communication session;**
- adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;**
- detecting an absence of active users in the first domain and the second domain; and
- tearing down the link based on the absence.

12. (Original) The method of Claim 11, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG).

13. (Previously Presented) The method of Claim 11, further comprising:

- detecting whether a given end user has logged into their respective system in order to identify the additional presence data.

14. (Original) The method of Claim 11, further comprising:
maintaining a designated link bandwidth allocation based on a number of users who are
logged into their respective systems.

15. (Cancelled)

16. (Currently Amended) Logic encoded in non-transitory media for execution and when executed by a processor operable to:

interact, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determine an application to be used in a communication session over the link;

allocate a bandwidth level to be used for the link to accommodate the application;

increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users **that have joined the communication session;**

adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

detect an absence of active users in the first domain and the second domain; and

tear down the link based on the absence.

17. (Previously Presented) The logic of Claim 16, wherein the logic is further operable to:

detect whether a given end user has logged into their respective system in order to identify the additional presence data.

18. (Original) The logic of Claim 16, wherein the logic is further operable to:
maintain a designated link bandwidth allocation based on a number of users who are
logged into their respective systems.

19. (Cancelled)

20. (Cancelled)

21. (Currently Amended) A system, comprising:

means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG);

means for determining an application to be used in a communication session over the link;

means for allocating a bandwidth level to be used for the link to accommodate the application;

means for increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users **that have joined the communication session;**

means for adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

means for detecting an absence of active users in the first domain and the second domain; and

means for tearing down the link based on the absence.

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed June 8, 2012. At the time of the Office Action, Claims 1-7, 9-14, 16-18, and 21 were pending in the Application and stand rejected. Claims 8, 15, and 19-20 were previously withdrawn. Applicant amends several Independent Claims without prejudice or disclaimer. The amendments to these claims are not the result of any Prior Art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Interview Summary

Applicants thank the Examiner for the telephone interview on September 10, 2012, and for the thoughtful consideration of this case. No agreement was reached as a result of the Interview. Any subsequent amendments to the claims were not based on reasons related to patentability, and Applicants reserve the right for future commentary concerning the rationale behind these amendments.

Section 101 Rejection

The Examiner rejects Claims 16-18 under 35 U.S.C. §101 and stated that the claims were directed towards non-statutory subject matter. Applicant has made a modest amendment to the identified Independent Claim in an effort to address the Examiner's concern. Any amendment in this regard should not be construed as an agreement with or acquiescence to the propriety of the Examiner's contention. Applicant reserves the right to comment on the

appropriateness of the §101-based amendment at a future time, should Applicant deem it appropriate to do so.

Section 103 Rejections

The Examiner rejects Claims 1-7, 9-14, 16-18, and 21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2007/0036100 issued to Shaffer et al. (hereinafter "*Shaffer*") in view of U.S. Publication No. 2004/0143663 issued to Leedom et al. (hereinafter "*Leedom*") and further in view of U.S. Publication No. 2008/0298330 issued to Leitch (hereinafter "*Leitch*").

Applicant respectfully reminds the Examiner that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.¹

It is respectfully submitted that the rejected claims are patentable over the art of record based on at least the third criterion of obviousness: none of the references alone or in combination teach, suggest, or disclose each claim limitation of the Independent Claims. Independent Claim 1 recites (*inter alia*) "...increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session...adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session...." [See, for example, Applicants' Specification at pages 8-10 for proper support for these amendments.]

¹ See M.P.E.P. §2142-43.

First, no reference discusses increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session. For this limitation, the Examiner has mistakenly cited the *Leitch* reference, which fails to describe any ability to evaluate presence data: much less an ability to factor in such presence data in making bandwidth decisions. Moreover, the *Leitch* reference **does not discuss increasing a bandwidth level based on additional users joining the communication session**. Simply stated, there is no intelligence being provided in the architecture of *Leitch*- it cannot evaluate presence data, nor can it detect when additional users have joined the existing communication session.

Separately, no reference (including *Leitch*) discusses adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains **can transmit data simultaneously during the communication session**. All of these limitations are provided for in Independent Claim 1, but no reference of record includes such elements. Applicant has reviewed the cited references, and found nothing that would be relevant to these teachings.

For at least these reasons, Independent Claim 1 is allowable over any cited reference, or combination of references. The other Independent Claims recite limitations similar, but not identical, to those recited in Independent Claim 1. Therefore, these claims are also allowable, for example, for the same reasons as identified above. Additionally, the corresponding dependent claims from these Independent Claims are also patentably distinct for analogous reasons. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

13

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

No additional fees are believed due. However, please apply any other charges or credit any overpayment to Deposit Account No. 50-4889 of PATENT CAPITAL GROUP, referencing the attorney docket number referenced above.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at (214) 823-1241.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

/Thomas J. Frame/

Thomas J. Frame
Reg. No. 47,232

Date: September 10, 2012

Customer No. 86421

Electronic Acknowledgement Receipt	
EFS ID:	13696077
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Pat Bradford
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	03919.0101 (956591)
Receipt Date:	10-SEP-2012
Filing Date:	02-SEP-2008
Time Stamp:	12:32:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2012-9-10-ResponseTo6-8-12Nonfinal.pdf	191560 440f93eecdffff73a00c0e0cb8d16bacd50f0065	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	9
	Applicant Arguments/Remarks Made in an Amendment	10	13
Warnings:			
Information:			
Total Files Size (in bytes):		191560	
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 12/202,450		Filing Date 09/02/2008		☐ 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 \$ =			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.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	09/10/2012	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 17	Minus	** 21	= 0	X \$ =		OR	X \$60=	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X \$ =		OR	X \$250=	0
☐ Application Size Fee (37 CFR 1.16(s))										
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR			
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	0	
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
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))							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.										

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.**

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Legal Instrument Examiner:
/KATISCHA WANZER/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376
86421	7590	12/12/2012	EXAMINER	
Patent Capital Group - Cisco 2816 Lago Vista Lane Rockwall, TX 75032			TRAN, PAUL P	
			ART UNIT	PAPER NUMBER
			2647	
			NOTIFICATION DATE	DELIVERY MODE
			12/12/2012	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thomasframe@patcapgroup.com
patbradford@patcapgroup.com
peggsu@cisco.com

DETAILED ACTION

Response to Arguments

1. Applicant's arguments in the remarks filed on 09/10/2012 with respect to claims 1-7, 9-14, 16-18 and 21 have been considered, but are moot in view of the new ground(s) of rejection. Claims 1-7, 9-14, 16-18 and 21 are pending in this application. Claims 8, 15, 19 and 20 have been cancelled by the Applicant.

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.
2. Claims 1, 2, 4, 11-13 and 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over McCanne (US Pub. 2007/0028002) in view of Leitch (US Pub. 2008/0298330, hereinafter “Leitch”) and further in view of Loda et al. (US Pub. 2008/0056295, hereinafter “Loda”).

2.1. Regarding claims 1, 11 and 16, McCanne discloses an apparatus {McCanne: Figs. 1-2, Pars. [0014], [0055]}, comprising: a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain {McCanne: Fig. 2, Page 4: [0055], multicast domain including overlay router OR including client.}, wherein the first communication resource manager is configured to: determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain {McCanne: Page 6: [0063], overlay router OR connects the overlay network using multicast, but client connecting to overlay network via unicast link. Page 6: [0065], an analog protocol to DGMP for signaling the presence of sources within the LVIF to attached overlay routers so that they can join and leave multicast groups.}; determine an application to be used in a communication session over the link {McCanne: Page 6: [0063], overlay router (OR) determines client application-level information to allow OR to optimize delivery of traffic to

that destination.}; allocate a bandwidth level to be used for the link to accommodate the application {McCanne: Page 6: [0063], client's IP access bandwidth can be included when requesting link so that the overlay router (OR) can deliver multicast traffic.}; increase the bandwidth level for the link based on a change in the application {McCanne: Page 2: [0010], the application-level activity is exploited to control adaptation; the system allocates more traffic class bandwidth to speaker in videoconferencing (See also [0091], [0093], [0096]).}; and detect an absence of active users in the first domain and the second domain; and tear down the link based on the absence {McCanne: Page 6: [0065]-[0067], Sender Setup Protocol SSP is setup to signal the network the presence of the communication link and to tear down the link, when the link is no longer active.}. However, McCanne fails to disclose increase the bandwidth level for the link based on an identification of additional presence data for additional users that have joined the communication session; adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

Leitch discloses increase the bandwidth level for the link based on an identification of additional presence data for additional users that have joined the communication session {Leitch: Page 3: [0031]-[0034], additional node or node bandwidth can be allocated in a call center or a meeting room where the system expects to have additional users coming into the area to join the communication

session (i.e. meeting).}; adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data during the communication session {Leitch: Page 4: [0035]-[0036], bandwidth can be allocated based on user type, for example a guest or customer in specific zone or a pedestrian while the pedestrian is walking around or from area to area (i.e. domain) transmitting data.}.

Both Leitch and McCanne disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Leitch before him at the time the invention was made to modify presence detection-based on additional number of users as taught by Leitch to McCanne multicast network management, as with the Leitch presence-based detection method, McCanne multicast network management can allocate additional bandwidth to handle more load in the user crowded area to improve the controlling of the cost of deploying and of maintaining the network structure {Leitch: Page 1: [0010]}. However, McCanne and Leitch fail to disclose the additional users and the users in the first and second domains can transmit data simultaneously during the communication session.

Loda discloses additional users and the users in the first and second domains can transmit data simultaneously during the communication session {Loda: Figs. 1A-B, Page 3: [0032]-[0033], [0035]-[0037], an IP QoS apparatus

101 comprising multiple downlink and uplink ports for supporting concurrent uplink data transmission from users in different domain via modem 163 and 165 (See also: Page 5: [0048]-[0049]).

Similarly to McCanne disclosure that teaches method of managing bandwidth for an IP communication network, Loda discloses an apparatus using Internet protocol quality of service and rate limiter management to control the bandwidth of the traffic downlink and uplink to leverage the data rate of the communication system; As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Loda before him at the time the invention was made to add the structure of multiple uplink ports for uplink transmission as taught by Loda, as with the uplink concurrent transmission, McCanne multicast network management can also receive concurrent transmission from the clients to improve the bandwidth for multiple applications and relieving the bottle neck of the communication system {Loda: Page 1: [0011]}.

2.2. Regarding claims 2 and 12, McCanne, Leitch and Loda disclose the apparatus of Claim 1, wherein the link is a satellite communication link {Loda: Page 3: [0035], uplink 103 is network using IP over satellite}.

2.3. Regarding claims 4, 13 and 17, McCanne, Leitch and Loda disclose the apparatus of Claim 1, wherein the additional presence data relates to whether a given end user has logged into their respective system {Leitch: Page 2: [0015],

presence detection is to provide connection service for wireless communication device to the wireless network.}.

3. Claims 3, 5-7, 9-10, 14, 18 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over “McCanne” in view of Leitch “Leitch” and further in view of “Loda” and furthermore in view of Shaffer et al. (US Pub. 2007/0036100, hereinafter “Shaffer”).

3.1. Regarding claim 3, McCanne, Leitch and Loda disclose all limitations of the apparatus of Claim 1; however, McCanne, Leitch and Loda fail to disclose wherein the users of the first domain comprise a virtual talking group (VTG).

Shaffer disclose wherein the users of the first domain comprise a virtual talking group (VTG) {*Shaffer: Fig. 7, Page 11: [0093].*}.

Similarly to McCanne, Shaffer discloses an IP communication network, including network management device connected together via local area network (LAN); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Shaffer before him at the time the invention was made to add virtual talk group taught by Shaffer to McCanne multicast network management as with the virtual talk group, McCanne multicast network management can manage the multicast group with virtual talk group to improve efficiency and collaboration between different talkgroups for an IP network management {*Shaffer: Page 1: [0003].*}.

3.2. Regarding claims 5, McCanne, Leitch and Loda disclose all limitations of the apparatus of Claim 1, however, McCanne, Leitch and Loda fail to disclose

wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains.

Shaffer discloses wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains {*Shaffer: Fig. 2, Page 4: [0040], OMA provides configuration, management and control of IS 50, OMA 50 monitors and provides communication channels and control VTG. Leitch: Fig. 4, Page 4: [0040], each node includes a presence detector for monitors users in its domain.*}.

Similarly to McCanne, Shaffer discloses an IP communication network, including network management device connected together via local area network (LAN); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Shaffer before him at the time the invention was made to add virtual talk group taught by Shaffer to McCanne multicast network management as with the virtual talk group, McCanne multicast network management can manage the multicast group with virtual talk group to improve efficiency and collaboration between different talkgroups for an IP network management {*Shaffer: Page 1: [0003].*}.

3.3. Regarding claims 6, 14 and 18, McCanne, Leitch, Loda and Shaffer disclose the apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation {*Leitch: Page 3:*

[0028], presence detection signals are used by network system for allocation of broadcast channels and enabling/disabling the wireless broadcast communication channels. Page 3: [0031], channels bandwidth allocation follows variety of rules.}.

3.4. Regarding claim 7, McCanne, Leitch, Loda and Shaffer disclose the apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link *{Leitch: Page 4: [0040], the presence detector 301-304 determines the user presence in the domain to control the disabling of the local wireless links.}.*

3.5. Regarding claims 9, McCanne, Leitch and Loda disclose all limitations of the apparatus of claim 1; however, McCanne, Leitch and Loda fail to disclose wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding based on available bandwidth.

Shaffer discloses wherein the communication resource managers each include respective dynamic trunking elements that can select transcoding based on available bandwidth *{Shaffer: Page 11: [0091], IS50 may selectively allocate floor control based on geographic location of the endpoint and based on number of requesting endpoints.}.*

Similarly to McCanne, Shaffer discloses an IP communication network, including network management device connected together via local area network (LAN); As a result, it would have been obvious to one having ordinary skill in the

art, having the teachings of McCanne and Shaffer before him at the time the invention was made to add virtual talk group taught by Shaffer to McCanne multicast network management as with the virtual talk group, McCanne multicast network management can manage the multicast group with virtual talk group to improve efficiency and collaboration between different talkgroups for an IP network management {*Shaffer: Page 1: [0003]*}.}

3.6. Regarding claims 10, McCanne, Leitch and Loda disclose all limitations of the apparatus of Claim 1, however, McCanne, Leitch and Loda fails to disclose further comprising: a router that establishes the link based on direction from the communication resource manager.

Shaffer discloses further comprising: a router that establishes the link based on direction from the communication resource manager {*Shaffer: Page 5: [0047], IS50 including switches, routers for accommodating particular operational needs.*}.}

Similarly to McCanne, Shaffer discloses an IP communication network, including network management device connected together via local area network (LAN); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Shaffer before him at the time the invention was made to add virtual talk group taught by Shaffer to McCanne multicast network management as with the virtual talk group, McCanne multicast network management can manage the multicast group with virtual talk group to

improve efficiency and collaboration between different talkgroups for an IP network management {*Shaffer: Page 1: [0003].*}.

3.7. Regarding claim 21, McCanne discloses a system, comprising: means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain {*McCanne: Fig. 2, Page 4: [0055], multicast domain including overlay router OR including client.*}; means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain {*McCanne: Page 6: [0063], overlay router OR connects the overlay network using multicast, but client connecting to overlay network via unicast link. Page 6: [0065], an analog protocol to DGMP for signaling the presence of sources within the LVIF to attached overlay routers so that they can join and leave multicast groups.*}, means for determine an application to be used in a communication session over the link {*McCanne: Page 6: [0063], overlay router (OR) determines client application-level information to allow OR to optimize delivery of traffic to that destination.*}; means for allocate a bandwidth level to be used for the link to accommodate the application {*McCanne: Page 6: [0063], client's IP access bandwidth can be included when requesting link so that the overlay router (OR) can deliver multicast traffic.*}; means for increase the bandwidth level for the link based on a change in the application {*McCanne: Page 2: [0010], the application-level activity is exploited to*

control adaptation; the system allocates more traffic class bandwidth to speaker in videoconferencing (See also [0091], [0093], [0096]).}; means for detecting an absence of active users in the first domain and the second domain; and means for tearing down the link based on the absence {*McCanne: Page 6: [0065]-[0067], Sender Setup Protocol SSP is setup to signal the network the presence of the communication link and to tear down the link, when the link is no longer active.*}. However, McCanne fails to disclose wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG); means for increase the bandwidth level for the link based on an identification of additional presence data for additional users that have joined the communication session; means for adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

Leitch discloses means for increase the bandwidth level for the link based on an identification of additional presence data for additional users that have joined the communication session {*Leitch: Page 3: [0031]-[0034], additional node or node bandwidth can be allocated in a call center or a meeting room where the system expects to have additional users coming into the area to join the communication session (i.e. meeting).*}; means for adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data during the communication

session {Leitch: Page 4: [0035]-[0036], bandwidth can be allocated based on user type, for example a guest or customer in specific zone or a pedestrian while the pedestrian is walking around or from area to area (i.e. domain) transmitting data.}.

Both Leitch and McCanne disclose communication network management comprising local area network (LAN) of short range wireless communication system having similar characteristics and structure (ABS); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Leitch before him at the time the invention was made to modify presence detection-based on additional number of users as taught by Leitch to McCanne multicast network management, as with the Leitch presence-based detection method, McCanne multicast network management can allocate additional bandwidth to handle more load in the user crowded area to improve the controlling of the cost of deploying and of maintaining the network structure *{Leitch: Page 1: [0010].}* However, McCanne and Leitch fail to disclose wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG); and the additional users and the users in the first and second domains can transmit data simultaneously during the communication session.

Loda discloses wherein the link is a satellite communication link *{Loda: Page 3: [0035], uplink 103 is network using IP over satellite.}*, and additional users and the users in the first and second domains can transmit data

simultaneously during the communication session *{Loda: Figs. 1A-B, Page 3: [0032]-[0033], [0035]-[0037], an IP QoS apparatus 101 comprising multiple downlink and uplink ports for supporting concurrent uplink data transmission from users in different domain via modem 163 and 165 (See also: Page 5: [0048]-[0049].}*.

Similarly to McCanne disclosure that teaches method of managing bandwidth for an IP communication network, Loda discloses an apparatus using Internet protocol quality of service and rate limiter management to control the bandwidth of the traffic downlink and uplink to leverage the data rate of the communication system; As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Loda before him at the time the invention was made to add the structure of multiple uplink ports for uplink transmission as taught by Loda, as with the uplink concurrent transmission, McCanne multicast network management can also receive concurrent transmission from the clients to improve the bandwidth for multiple applications and relieving the bottle neck of the communication system *{Loda: Page 1: [0011].}*. However, McCanne, Leitch and Loda fail to disclose wherein the users of the first domain comprise a virtual talking group (VTG).

Shaffer discloses wherein the link is a satellite communication link and wherein the users of the first domain comprise a virtual talking group (VTG) *{Shaffer: Fig. 7, Page 11: [0093].}*.

Similarly to McCanne, Shaffer discloses an IP communication network, including network management device connected together via local area network (LAN); As a result, it would have been obvious to one having ordinary skill in the art, having the teachings of McCanne and Shaffer before him at the time the invention was made to add virtual talk group taught by Shaffer to McCanne multicast network management as with the virtual talk group, McCanne multicast network management can manage the multicast group with virtual talk group to improve efficiency and collaboration between different talkgroups for an IP network management {*Shaffer: Page 1: [0003].*}.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KEVIN PAN can be reached on 571-272-7855. 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.

	/PAUL P TRAN/ Examiner, Art Unit 2647 December 2, 2012
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Application/Control Number: 12/202,450
Art Unit: 2647

Page 17

/Zhiyu Lu/
Primary Examiner, Art Unit 2649

Notice of References Cited	Application/Control No. 12/202,450		Applicant(s)/Patent Under Reexamination KHAN ET AL.	
	Examiner PAUL P. TRAN		Art Unit 2647	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0028002	02-2007	McCanne, Steven	709/238
*	B	US-2008/0056295	03-2008	Loda et al.	370/437
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	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.

<i>Index of Claims</i> 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

✓	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	04/22/2011	10/07/2011	06/02/2012	12/04/2012						
	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. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

SEARCHED			
Class	Subclass	Date	Examiner
455	12.1,13.1- 13.328,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456. 1,456.2,456.3,518,519,520,521	4/22/2011	PT
370	328,329,338,351,352	4/22/2011	PT
379	201.1.202.01266.1	4/22/2011	PT
709	224,226,227,238,249	4/22/2011	PT
Text Search	All subclasses from above classes 455/ 370/ 379/ 709/	10/7/2011	PT
Text Search	all subclasses under 455/ 370/ 379/ 7-9/ 726/	6/2/2012	PT
Text Search	All subclasses in 455/ 370/ 379/	12/3/2012	PT

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	4/22/2011	PT
John Peng, Dan Swerdlow: Claim	4/20/2011	PT
East Search	10/7/2011	PT
East Search	6/2/2012	PT
Daniel Lu: Claims 1, 11, 16 and 21	12/3/2012	PT
East Search	12/3/2012	PT

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
Pub-Text Search	((second two another plural\$3) ADJ9 resource NEAR9 (manag\$3 management control\$4) AND (establish\$3 set\$4 provid\$3) WITH multicast\$3 SAME (domain network area) AND presence).clm.	4/22/2011	PT

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	19	(US-20090296574-\$ or US-20090219810-\$ or US-20080317159-\$ or US-20080062877-\$ or US-20100246430-\$ or US-20070180119-\$ or US-20070064604-\$ or US-20040143663-\$ or US-20100056196-\$ or US-20080148154-\$ or US-20080117813-\$ or US-20100172316-\$ or US-20080228878-\$ or US-20100074165-\$ or US-20090059791-\$).did. or (US-5969601-\$ or US-7720980-\$ or US-7493407-\$ or US-7826363-\$).did.	US-PGPUB; USPAT	OR	ON	2012/11/26 09:18
S2	2	(20080095071 20080025337).pn.	US-PGPUB; USPAT	OR	ON	2012/11/26 09:49
S4	1494	(increas\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth) WITH (presenc\$3 presentity active join\$3 log\$in log\$on additio\$3) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 10:28
S3	7261	(increas\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth resource channel) WITH (presenc\$3 presentity active join\$3 log\$in log\$on additio\$3) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 10:28
S5	1169	S4 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 10:29
S6	951	S5 AND ("370"/\$.ccls. "375"/\$.ccls. "379"/\$.ccls. "455"/\$.ccls. "709"/\$.ccls. "715"/\$.ccls.)	US-PGPUB; USPAT	OR	ON	2012/11/26 10:32
S7	366	S6 AND (multi\$cast broad\$cast\$3) WITH (domain network group)	US-PGPUB; USPAT	OR	ON	2012/11/26 10:34
S8	54	S6 AND (multi\$cast broad\$cast\$3) WITH (domain network group) SAME (presen\$3 presentity active log\$in log\$on)	US-PGPUB; USPAT	OR	ON	2012/11/26 10:35
S13	39	S12 AND (presence presentity)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:16
S12	54	S11 AND (multi\$cast broad\$cast\$3) WITH (domain network group) SAME (presen\$3 presentity active log\$in log\$on)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:16
S11	951	S10 AND ("370"/\$.ccls. "375"/\$.ccls. "379"/\$.ccls. "455"/\$.ccls. "709"/\$.ccls. "715"/\$.ccls.)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:16
S10	1169	S9 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 13:16
S9	1494	(increas\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth) WITH	US-PGPUB; USPAT	OR	ON	2012/11/26 13:16

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S14	469	(increas\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:38
S17	565	S16 AND (multi\$cast broad\$cast\$3) WITH (domain network group)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:39
S16	1409	S15 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 13:39
S19	1412	S18 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 13:43
S18	1799	(increas\$3 adjust\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on new additional) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:43
S20	15	(multi\$cast\$3 broad\$cast\$3) SAME (increas\$3 adjust\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on) WITH (additional more new) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 13:49
S21	8	S20 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 13:50
S22	1	(multi\$cast\$3 broad\$cast\$3) SAME (increas\$3 adjust\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR5 (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on) WITH (additional more new) NEAR5 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/26 14:39
S23	1	S22 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 14:40
S24	17	(Elmar NEAR5 Trojer).in.	US-PGPUB; USPAT	OR	ON	2012/11/26 15:15
S25	5	S24 AND (presence presentity)	US-PGPUB; USPAT	OR	ON	2012/11/26 15:16
S26	35	(multi\$cast\$3 broad\$cast\$3) AND (increas\$3 adjust\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR5 (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on) WITH (additional more new) NEAR5 (user	US-PGPUB; USPAT	OR	ON	2012/11/26 15:23

		subscriber client operator)				
S28	1	S26 AND (chang\$3 alter\$3 modif\$4 adjust\$3) WITH (bandwidth channel resource) WITH (application program protocol standard)	US-PGPUB; USPAT	OR	ON	2012/11/26 15:26
S27	1	S26 AND (chang\$3 alter\$3 modif\$4 adjust\$3) WITH (bandwidth channel resource) WITH (application program)	US-PGPUB; USPAT	OR	ON	2012/11/26 15:26
S29	6	(increas\$3 adjust\$3 modif\$5 correct\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR9 (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on new additional) NEAR5 (user subscriber client operator) WITH (simultaneous\$3 concurrent\$3 contemporaneous\$3) NEAR9 (transmit\$4 transmission)	US-PGPUB; USPAT	OR	ON	2012/11/26 18:00
S30	6	S29 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 18:01
S31	14	("5222077" "5311547" "5790606" "5917852" "5966412" "5982813" "6078626" "6122269" "6198775" "6215778" "6219341" "6343210" "6393075" "6934317").PN. OR ("7139334").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/11/26 18:49
S32	7	(increas\$3 adjust\$3 modif\$5 correct\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR9 (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on new additional) NEAR8 (user subscriber client operator) SAME (simultaneous\$3 concurrent\$3 contemporaneous\$3) NEAR9 (transmit\$4 transmission)	US-PGPUB; USPAT	OR	ON	2012/11/26 18:58
S33	7	S32 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 18:59
S34	279	("5142532" "5253341" "5347304" "5410343").PN. OR ("5608446").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/11/26 19:01
S35	7	(increas\$3 adjust\$3 modif\$5 correct\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR9 (more up)) NEAR8 (bandwidth) WITH (presence presentity active join\$3 log\$in log\$on new additional) NEAR8 (user subscriber client operator) SAME (simultaneous\$3 concurrent\$3 contemporaneous\$3) NEAR9 (transmit\$4 transmission)	US-PGPUB; USPAT	OR	ON	2012/11/26 20:14
S36	7	S35 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 20:15
S38	152	S37 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/26 20:18
S37	188	(increas\$3 adjust\$3 modif\$5 correct\$3 alter\$3 chang\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR9 (more up)) WITH (bandwidth) WITH (user subscriber client	US-PGPUB; USPAT	OR	ON	2012/11/26 20:18

		operator) SAME (simultaneous\$3 concurrent\$3 contemporaneous\$3) NEAR9 (transmit\$4 transmission)				
S39	38	(conferenc\$3 meeting) SAME (increas\$3 adjust\$3 modif\$5 correct\$3 alter\$3 add\$3 augment\$3 (provid\$3 allocat\$3 get\$4 assign\$3 identif\$3 bring\$3) NEAR9 (more up)) NEAR8 (bandwidth) SAME (presence presentity active join\$3 log\$in log\$on new additional) NEAR8 (user subscriber client operator)	US-PGPUB; USPAT	OR	ON	2012/11/27 10:03
S40	28	S39 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/27 10:10
L1	36	(US-20100246430-\$ or US-20100172316-\$ or US-20100074165-\$ or US-20100056196-\$ or US-20090296574-\$ or US-20090219810-\$ or US-20090059791-\$ or US-20080317159-\$ or US-20080228878-\$ or US-20080148154-\$ or US-20080117813-\$ or US-20080062877-\$ or US-20070180119-\$ or US-20070064604-\$ or US-20040143663-\$ or US-20080095071-\$ or US-20080025337-\$ or US-20090022064-\$ or US-20090248886-\$ or US-20020118638-\$ or US-20100235432-\$ or US-20030026357-\$ or US-20080062988-\$).did. or (US-7826363-\$ or US-7720980-\$ or US-7493407-\$ or US-6501423-\$ or US-7619968-\$ or US-7463582-\$ or US-7656813-\$ or US-7657918-\$ or US-5608446-\$ or US-6320461-\$ or US-7139334-\$ or US-5512935-\$ or US-5673393-\$).did.	US-PGPUB; USPAT	OR	ON	2012/11/27 15:06
L2	6	L1 AND (adjust\$3 modif\$4 alter\$3 correct\$3 chang\$3 increas\$3 reduc\$3) WITH (bandwidth) SAME (transmit\$4 transmission) WITH (simultaneous\$3 concurrent\$3 contemporaneous\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/11/27 15:09
L4	36	(adjust\$3 modif\$4 alter\$3 correct\$3 chang\$3 increas\$3 add\$3) WITH (bandwidth resource capacity channel) WITH (user subscriber operator) WITH (transmit\$4 transmission) NEAR5 (simultaneous\$3 concurrent\$3 contemporaneous\$3) WITH (domain network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/11/27 15:41
L3	301	(adjust\$3 modif\$4 alter\$3 correct\$3 chang\$3 increas\$3 add\$3) WITH (bandwidth resource capacity channel) WITH (user subscriber operator) WITH (transmit\$4 transmission) NEAR5 (simultaneous\$3 concurrent\$3 contemporaneous\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/11/27 15:41
L5	31	L4 AND @ad<="20080902"	US-PGPUB; USPAT	OR	ON	2012/11/27 15:42

11/ 27/ 2012 4:09:55 PM

C:\Users\ptran6\Documents\EAST\Workspaces\A_12202450_PresenceResourceMgmt_4.wsp

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2647
Examiner: Paul P. Tran
Title: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT

MAIL STOP AF

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

Dear Sir:

AMENDMENT AFTER FINAL

In response to the Final Office Action mailed December 12, 2012, Applicant respectfully requests the Examiner to reconsider the claims in view of the following amendments and comments as set forth below. Please amend the Application as follows.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application. Please amend the claims as follows:

1. (Currently Amended) An apparatus, comprising:

a first communication resource manager located in a first domain and operable to interact with a second communication resource manager located in a second domain, wherein the first communication resource manager is configured to:

determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determine an application to be used in a communication session over the link;

allocate a bandwidth level to be used for the link to accommodate the application;

increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, **wherein the communication resource managers each include respective trunking elements that can select transcoding based on available bandwidth;**

adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

detect an absence of active users in the first domain and the second domain; and
tear down the link based on the absence.

2. (Original) The apparatus of Claim 1, wherein the link is a satellite communication link.

3. (Original) The apparatus of Claim 1, wherein the users of the first domain comprise a virtual talking group (VTG).

4. (Previously Presented) The apparatus of Claim 1, wherein the additional presence data relates to whether a given end user has logged into their respective system.

5. (Previously Presented) The apparatus of Claim 1, wherein the communication resource managers each includes respective virtual talk group (VTG) presence managers (VPMs), each of which is operable to monitor their users who are present in their respective domains.

6. (Original) The apparatus of Claim 5, wherein information received from the VPMs is used to maintain a designated link bandwidth allocation.

7. (Original) The apparatus of Claim 5, wherein if either one of the VPMs determine that there are no active users logged into their respective systems, then the VPMs tear down the link.

8. (Cancelled)

9. (Cancelled)

10. (Original) The apparatus of Claim 1, further comprising:
a router that establishes the link based on direction from the communication resource manager.

11. (Currently Amended) A method, comprising:

interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determining an application to be used in a communication session over the link;

allocating a bandwidth level to be used for the link to accommodate the application;

increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each include respective trunking elements that can select transcoding based on available bandwidth;

adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

detecting an absence of active users in the first domain and the second domain; and

tearing down the link based on the absence.

12. (Original) The method of Claim 11, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG).

13. (Previously Presented) The method of Claim 11, further comprising:

detecting whether a given end user has logged into their respective system in order to identify the additional presence data.

14. (Original) The method of Claim 11, further comprising:
maintaining a designated link bandwidth allocation based on a number of users who are
logged into their respective systems.

15. (Cancelled)

16. (Currently Amended) Logic encoded in non-transitory media for execution and when executed by a processor operable to:

interact, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;

determine whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain;

determine an application to be used in a communication session over the link;

allocate a bandwidth level to be used for the link to accommodate the application;

increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, **wherein the communication resource managers each include respective trunking elements that can select transcoding based on available bandwidth;**

adjust the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;

detect an absence of active users in the first domain and the second domain; and

tear down the link based on the absence.

17. (Previously Presented) The logic of Claim 16, wherein the logic is further operable to:

detect whether a given end user has logged into their respective system in order to identify the additional presence data.

18. (Original) The logic of Claim 16, wherein the logic is further operable to:
maintain a designated link bandwidth allocation based on a number of users who are
logged into their respective systems.

19. (Cancelled)

20. (Cancelled)

21. (Currently Amended) A system, comprising:
- means for interacting, via a first communication resource manager located in a first domain, with a second communication resource manager located in a second domain;
 - means for determining whether to establish a link for multicasting between users in the first domain and users in the second domain based on presence data of at least one user in the first domain and at least one user in the second domain, wherein the link is a satellite communication link, and wherein the users of the first domain comprise a virtual talking group (VTG);
 - means for determining an application to be used in a communication session over the link;
 - means for allocating a bandwidth level to be used for the link to accommodate the application;
 - means for increasing the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, **wherein the communication resource managers each include respective trunking elements that can select transcoding based on available bandwidth;**
 - means for adjusting the bandwidth level based on a determination about which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;
 - means for detecting an absence of active users in the first domain and the second domain; and
 - means for tearing down the link based on the absence.

REMARKS

Applicant has carefully reviewed the Application in light of the Final Office Action mailed December 12, 2012. At the time of the Office Action, Claims 1-7, 9-14, 16-18, and 21 were pending in the Application and stand rejected. Claims 8, 15, and 19-20 were previously withdrawn. Applicant amends several Independent Claims without prejudice or disclaimer. The amendments to these claims are not the result of any Prior Art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Interview Summary

Applicants thank the Examiner for the telephone interview on March 12, 2013, and for the thoughtful consideration of this case. While no formal agreement was reached as a result of the Interview, both the Examiner and Attorney for Applicants were confident that an agreement (in regards to the allowable subject matter) would be reached shortly. Any subsequent amendments to the claims were not based on reasons related to patentability, and Applicants reserve the right for future commentary concerning the rationale behind these amendments.

Section 103 Rejections

The Examiner rejects Claims 1-2, 4, 11-13, and 16-17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2007/0028002 issued to McCanne (hereinafter "*McCanne*") in view of U.S. Publication No. 2008/0298330 issued to Leitch (hereinafter "*Leitch*") and U.S. Publication No. 2008/0056295 issued to Loda et al. (hereinafter "*Loda*"). The Examiner

further rejects Claims 3, 5-7, 9-10, 14, 18, and 21 under 35 U.S.C. §103(a) as being unpatentable over *McCanne*, *Leitch*, and *Loda*, and further in view of U.S. Publication No. 2007/0036100 issued to Shaffer et al (hereinafter "*Shaffer*").

Applicant respectfully reminds the Examiner that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation; either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.¹

It is respectfully submitted that the rejected claims are patentable over the art of record based on at least the third criterion of obviousness: none of the references alone or in combination teach, suggest, or disclose each claim limitation of the Independent Claims. Independent Claim 1 recites (*inter alia*) "...the communication resource managers each include respective trunking elements that can select transcoding based on available bandwidth...."

No reference discusses communication resource managers including respective trunking elements that can ***select transcoding based on available bandwidth***. For at least these reasons, Independent Claim 1 is allowable over any cited reference, or combination of references. The other Independent Claims recite limitations similar, but not identical, to those recited in Independent Claim 1. Therefore, these claims are also allowable, for example, for the same reasons as identified above. Additionally, the corresponding dependent claims from these Independent Claims are also patentably distinct for analogous reasons. Notice to this effect is respectfully requested in the form of a full allowance of these claims.

¹ See M.P.E.P. §2142-43.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

12

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

No additional fees are believed due. However, please apply any other charges or credit any overpayment to Deposit Account No. 50-4889 of PATENT CAPITAL GROUP, referencing the attorney docket number referenced above.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at (214) 823-1241.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

/Thomas J. Frame/

Thomas J. Frame
Reg. No. 47,232

Date: March 12, 2013

Customer No. 86421

Electronic Acknowledgement Receipt	
EFS ID:	15191942
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Jonathan Kyle Komenda/Pat Bradford
Filer Authorized By:	Jonathan Kyle Komenda
Attorney Docket Number:	03919.0101 (956591)
Receipt Date:	12-MAR-2013
Filing Date:	02-SEP-2008
Time Stamp:	15:42:00
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		2013-3-12-AF-ResponseTo12-12-12Final.pdf	186108 1ff597c21f5e17ae68abc731ccf8fd01d72964e8	yes	12

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Amendment After Final	1	1
	Claims	2	9
	Applicant Arguments/Remarks Made in an Amendment	10	12
Warnings:			
Information:			
Total Files Size (in bytes):		186108	
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 12/202,450		Filing Date 09/02/2008		☒ 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 \$ =			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.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	03/12/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	*	16	Minus	** 21	=	0		X \$62=	0	
Independent (37 CFR 1.16(h))	*	4	Minus	***4	=	0		X \$250=	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	0	
(Column 1)			(Column 2)			(Column 3)				
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 \$ =		X \$ =			
Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		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.										

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.

Legal Instrument Examiner:
/NICHELE PETERSON/

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2647
Examiner: Paul P. Tran
Title: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT

MAIL STOP AMENDMENT

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

Dear Sir:

INTERVIEW SUMMARY FOR MARCH 27, 2013

Applicant thanks the Examiner for conducting the telephone interview on March 27, 2013, and for the thoughtful consideration of this case. During the telephone interview, Applicant and Examiner discussed a modest set of possible amendments and an agreement was reached during the interview. Subsequent amendments to the claims were not based on reasons related to patentability, and Applicant reserves the right for future commentary concerning the rationale behind these amendments.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

/Thomas J. Frame/

Thomas J. Frame
Reg. No. 47,232

Date: March 27, 2013

Customer No. 86421

Electronic Acknowledgement Receipt	
EFS ID:	15367371
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Pat Bradford
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	03919.0101 (956591)
Receipt Date:	27-MAR-2013
Filing Date:	02-SEP-2008
Time Stamp:	15:01:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant summary of interview with examiner	2013-3-27-InterviewSummary.pdf	102758 114fb0463020da24f0d9794274b3391c1c2e1d5c	no	1

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.



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NOTICE OF ALLOWANCE AND FEE(S) DUE

86421 7590 04/10/2013
Patent Capital Group - Cisco
2816 Lago Vista Lane
Rockwall, TX 75032

EXAMINER

TRAN, PAUL P

ART UNIT

PAPER NUMBER

2647

DATE MAILED: 04/10/2013

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376

TITLE OF INVENTION: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	07/10/2013

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 ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

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86421 7590 04/10/2013
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being 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.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376

TITLE OF INVENTION: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	07/10/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRAN, PAUL P	2647	455-518000

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)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: 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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376
86421	7590	04/10/2013	EXAMINER	
Patent Capital Group - Cisco			TRAN, PAUL P	
2816 Lago Vista Lane			ART UNIT	
Rockwall, TX 75032			PAPER NUMBER	

2647

DATE MAILED: 04/10/2013

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 561 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 561 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.

Privacy Act Statement

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

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

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

Examiner-Initiated Interview Summary	Application No.		Applicant(s)	
	12/202,450		KHAN ET AL.	
	Examiner		Art Unit	
	PAUL P. TRAN		2647	

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

(1) PAUL P. TRAN. (3) _____.

(2) THOMAS J. FRAME, reg. No. 47,232. (4) _____.

Date of Interview: 27 March 2013.

Type: ☒ Telephonic ☐ Video Conference
 ☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

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

Issues Discussed ☐ 101 ☐ 112 ☐ 102 ☒ 103 ☐ Others
 (For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1, 11, 16 & 21.

Identification of prior art discussed: McCane (2007/0028002); Leitch (2008/0298330; Donahue (2002/0118638) and Moonen (2003/0063608).

Substance of Interview
 (For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Discussion with the applicant's representative in adding more limitations to overcome prior arts including new found references; Donahue discloses a satellite wireless communication system for managing bandwidth of multiple local wireless LAN domain using presence detection. Meanwhile the current application claims limitations in the area of wireline network area. The examiner has asked the applicant to merge limitations of claims 2 and 9 such that the claim scope can overcome the teachings of the above prior arts.

An agreement has been reached with the applicant's representative to merge claims 2 and 9 to all independent claims 1, 11, 16 and 21 and to fix all the 112 issues; As such as a result of this interview, the current application has now positioned in an allowance condition. .

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/PAUL P TRAN/ Examiner, Art Unit 2647	
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Notice of Allowability	Application No. 12/202,450	Applicant(s) KHAN ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2647	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to 03/12/2013.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are 1,3-7,10-14,16-18 and 21. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

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

Certified copies:

a) ☐ All b) ☐ Some *c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Interim copies:

a) ☐ All b) ☐ Some c) ☐ None of the: Interim copies of the priority documents have been received.

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

5. ☐ **CORRECTED DRAWINGS** (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ **DEPOSIT OF and/or INFORMATION** about the deposit of **BIOLOGICAL MATERIAL** must be submitted. Note the attached Examiner's comment regarding **REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL**.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)	5. ☒ Examiner's Amendment/Comment
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____	6. ☒ Examiner's Statement of Reasons for Allowance
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	7. ☐ Other _____.
4. ☒ Interview Summary (PTO-413), Paper No./Mail Date <u>03/27/2013</u> .	

/PAUL P TRAN/ Examiner, Art Unit 2647	
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DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. THOMAS J. FRAME, reg. No. 47,232, on March 27, 2013. This Examiner's amendment is based on latest version of the claims submitted by the Applicant on 03/12/2013. This following amendment comprises amendment for claims 1, 2, 11, 16-18 and 21, in which claim 2 is additionally cancelled. (Please, see examiner's amendment document attached).

Amendments to the Claims:

1. Claims 1, 2, 11, 16-18 and 21 have been amended. The changes to the claims have been made as followings:

1.1. In claim 1, line 5: Before "to establish", delete "whether" ;

In claim 1, line 14: After "each", delete "include" and replace with --- includes--- .

In claim 1, line 14: After “trunking”, delete “elements that can select” and replace with ---element that is automatically configured to select a--- ;

In claim 1, line 16: After “determination”, delete “about” ;

In claim 1, line 20: After “the absence”, insert ---;--- and before “.” in a new line, insert ---wherein the link is a satellite communication link--- .

1.2. In claim 2, claim 2 has been cancelled.

1.3. In claim 11, line 1: After “method” and before “,”, insert ---to be executed in conjunction with a processor to perform the steps of--- ;

In claim 11, line 4: Before “to establish”, delete “whether” ;

In claim 11, line 11: After “each”, delete “include” and replace with --includes--- .

In claim 11, line 12: After “trunking”, delete “elements that can select” and replace with ---element that is automatically configured to select a--- ;

In claim 11, line 13: After “determination”, delete “about” ;

In claim 11, line 17: After “absence”, insert ---;--- and before “.” in a new line, insert ---wherein the link is a satellite communication link--- .

1.4. In claim 16, line 1: Before “for execution”, delete “Logic encoded in non-transitory media” and replace with ---Non-transitory media that include instructions --- ;

In claim 16, line 5: Before “to establish”, delete “whether” ;

In claim 16, line 12: After “each”, delete “include” and replace with -
--includes--- .

In claim 16, line 13: After “trunking”, delete “elements that can
select” and replace with ---element that is automatically configured to select a--- ;

In claim 16, line 14: After “determination”, delete “about” ;

In claim 16, line 18: After “the absence”, insert ---;--- and before “.”
in a new line, insert ---wherein the link is a satellite communication link--- .

1.5. In claim 17, line 1: After “The”, delete “logic” and replace with ---non-
transitory media--- ;

In claim 17, line 1: Before “is further”, delete “logic” (second
occurrence) and replace with ---instructions for execution and when executed by
the processor--- .

1.6. In claim 18, line 1: After “The”, delete “logic” and replace with ---non-
transitory media--- ;

In claim 18, line 1: Before “is further”, delete “logic” (second
occurrence) and replace with ---instructions for execution and when executed by
the processor--- .

1.7. In claim 21, line 4: Before “to establish”, delete “whether” ;

In claim 21, line 16: After “each”, delete “include” and replace with -
--includes--- .

In claim 21, line 16: After “trunking”, delete “elements that can select” and replace with ---element that is automatically configured to select a--- ;

In claim 21, line 18: After “determination”, delete “about” .

(End of Amendment)

Note: Above amendments have been made in order to place the application in condition for allowance.

Response to Arguments

2. Applicant’s arguments based on the remarks filed on 03/12/2013 with respect to claims 1, 3-7, 10-14, 16-18 and 21 have been fully considered and are persuasive in light of the further Examiner’s amendment. The rejections of claims 1, 3-7, 10-14, 16-18 and 21 have been withdrawn. Claims 2, 8, 9, 15, 19 and 20 have been cancelled by the Applicant.

Allowable Subject Matter

3. The present claims 1, 3-7, 10-14, 16-18 and 21 are allowable.

Reason for Allowance

4. The following is a statement of reasons for the indication of allowable subject matter:

4.1. Regarding claims 1, 11, 16 and 21, all the following prior arts of record fail to teach the claimed subject matter relating to the following limitations: “increase the bandwidth level for the link based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each includes a respective trunking element that is automatically configured to select a transcoding based on available bandwidth; adjust the bandwidth level based on a determination which of the additional users and the users in the first and second domains can transmit data simultaneously during the communication session;” and “wherein the link is a satellite communication link”.

The prior art of record, McCanne (US Pub. 2007/0028002) discloses an Internet multicasting overlay protocol communication system comprising overlay routers distributed in different local area networks, in which the bandwidth allocation of the local area networks are monitored and managed via the detection of the senders using the Overlay Sender Setup Protocol (SSP) (*ABS; Figs. 1-2, Pars. [0055], [0063]-[0067]*). However, McCanne fails to teach whether individually or in combination with other prior arts of record, the

teachings of increasing bandwidth of satellite communication link level based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each includes a respective trunking element that is automatically configured to select a transcoding based on available bandwidth as claimed in claims 1, 11, 16 and 21 above.

Another prior art of record, Leitch (US Pub. 2008/0298330) teaches wireless communication system comprising local area networks (LAN), in which the wireless LAN including mechanism for detecting user's presence and automatically allocating bandwidth of the local wireless LAN based on the number of the user present at the local wireless LAN location (*ABS; Pages 3-4: Page 3: [0031]-[0036]*). However, Leitch fails to disclose whether individually or in combination with other prior arts of record the teachings of increasing bandwidth of satellite communication link level based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each includes a respective trunking element that is automatically configured to select a transcoding based on available bandwidth as claimed in claims 1, 11, 16 and 21 above.

Another prior art of record, Loda et al. (US Pub. 2008/0056295) teach an Internet protocol quality of service system, in which the downlink IP data streams of varying priority and bandwidth are converted to uniformly sized cells and

aggregated at a data rate corresponding to the uplink limited bandwidth (*ABS; Figs. 1A-B, Page 3: [0032]-[0033], [0035]-[0037]*). However Loda et al. fail to disclose whether individually or in combination with other prior arts of record the teachings of increasing bandwidth of satellite communication link level based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each includes a respective trunking element that is automatically configured to select a transcoding based on available bandwidth as claimed in claims 1, 11, 16 and 21 above.

Another prior art of record, Shaffer et al. (US Pub. 2007/0036100) teaches a system and method for communicating media based on location media source including receiving communications from the plurality of virtual talk groups and presenting the media message including group identification to talk group users (*ABS; Fig. 7, Page 11: [0093]*). However, Shaffer et al. fail to disclose whether individually or in combination with other prior arts of record the teachings increasing bandwidth of satellite communication link level based on a change in the application and based on an identification of additional presence data for additional users that have joined the communication session, wherein the communication resource managers each includes a respective trunking element that is automatically configured to select a transcoding based on available bandwidth as claimed in claims 1, 11, 16 and 21 above.

Since all the above prior arts of record fail to teach the claimed invention as claimed in the independent claims 1, 11, 16 and 21 as discussed above; the independent claims 1, 11, 16 and 21 are therefore allowable;

Regarding the dependent claims 3-7, 10, 12-14, 17 and 18, due to their dependency to the above allowable base claims, the dependent claims 3-7, 10, 12-14, 17 and 18 are therefore also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

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

- Donahue (US Pub. 2002/0118638) teaches a satellite communication system for multicasting digital data to users in multiple domains using IP protocol.
- Moonen (US Pub. 2003/0063608) teaches a wireless communication system using multicast discovery protocol for tunneling of unicast message.

- Trostle (US Pub. 2005/0097317) teaches a secure multiple multicast groups communication system, in which the event servers are distributed throughout multiple enterprise domains.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL P. TRAN whose telephone number is 571-270-1944 (FAX. 571-270-2944). The examiner can normally be reached on Monday to Thursday 8:00AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KEVIN PAN can be reached on 571-272-7855. 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.

/Andrew Wendell/ Acting SPE of Art Unit 2647	/PAUL P TRAN/ Examiner, Art Unit 2618
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Application/Control Number: 12/202,450
Art Unit: 2647

Page 11

	April 5, 2013
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Notice of References Cited	Application/Control No. 12/202,450	Applicant(s)/Patent Under Reexamination KHAN ET AL.	
	Examiner PAUL P. TRAN	Art Unit 2647	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0118638	08-2002	Donahue et al.	370/229
*	B	US-2003/0063608	04-2003	Moonen, Jan Renier	370/390
*	C	US-2005/0097317	05-2005	Trostle et al.	713/163
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	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.

Search Notes 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
455	12.1,13.1-13.328,4,17,404.2,450,451,452.1,452.2,452.3,452.4,456.1,456.2,456.3,518,519,520,521	4/22/2011	PT
370	328,329,338,351,352	4/22/2011	PT
379	201.1.202.01266.1	4/22/2011	PT
709	224,226,227,238,249	4/22/2011	PT
Text Search	All subclasses from above classes 455/ 370/ 379/ 709/	10/7/2011	PT
Text Search	all subclasses under 455/ 370/ 379/ 7-9/ 726/	6/2/2012	PT
Text Search	All subclasses in 455/ 370/ 379/	12/3/2012	PT
Text search	All in subclasses 455/ 370/ 375/ 379/ 709/ 725/	3/28/2013	PT

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	4/22/2011	PT
John Peng, Dan Swerdlow: Claim	4/20/2011	PT
East Search	10/7/2011	PT
East Search	6/2/2012	PT
Daniel Lu: Claims 1, 11, 16 and 21	12/3/2012	PT
East Search	12/3/2012	PT
Andrew Wendell: claims 1, 11, 16 and 21	3/29/2013	PT
East Search	3/30/2013	PT

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INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
Pub-Text Search	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (link path session) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	3/30/2013	PT
	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) AND (presence presentity) AND (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	3/30/2013	PT

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Issue Classification 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2647

CPC		
Symbol	Type	Version

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION										
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED					
455			518			H	0	4	B	7 / 185 (2006.01.01)						
CROSS REFERENCE(S)						H	0	4	W	4 / 00 (2009.01.01)						
						H	0	4	B	7 / 00 (2006.01.01)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					H	0	4	L	12 / 66 (2006.01.01)						
455	12.1	426.1	519			H	0	4	K	1 / 10 (2006.01.01)						
370	328	338	352			H	0	4	L	27 / 28 (2006.01.01)						

/PAUL P TRAN/ Examiner.Art Unit 2647 (Assistant Examiner)	03/30/2013 (Date)	Total Claims Allowed: 15	
/ANDREW WENDELL/ Acting Supervisory Patent Examiner.Art Unit 2647 (Primary Examiner)	04/04/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2647

375	260	295	324			H	0	4	L	27 / 00 (2006.01.01)				
379	201.1					H	0	4	L	27 / 00 (2006.01.01)				
709	226	238				H	0	4	M	3 / 42 (2006.01.01)				
713	163					G	0	6	F	15 / 173 (2006.01.01)				
725	63					G	0	6	F	15 / 173 (2006.01.01)				
						H	0	4	L	29 / 06 (2006.01.01)				
						H	0	4	N	7 / 20 (2006.01.01)				

/PAUL P TRAN/ Examiner.Art Unit 2647 (Assistant Examiner)	03/30/2013 (Date)	Total Claims Allowed: 15	
/ANDREW WENDELL/ Acting Supervisory Patent Examiner.Art Unit 2647 (Primary Examiner)	04/04/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Issue Classification 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2647

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	13	17												
-	2	14	18												
2	3	-	19												
3	4	-	20												
4	5	15	21												
5	6														
6	7														
-	8														
-	9														
7	10														
8	11														
9	12														
10	13														
11	14														
-	15														
12	16														

/PAUL P TRAN/ Examiner.Art Unit 2647 (Assistant Examiner)	03/30/2013 (Date)	Total Claims Allowed: 15	
/ANDREW WENDELL/ Acting Supervisory Patent Examiner.Art Unit 2647 (Primary Examiner)	04/04/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3483	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 ramp\$3) WITH bandwidth WITH (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:07
S2	2	S1 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:18
S3	2	S2 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:19
S4	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:57
S6	4	S5 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:59
S5	4	S4 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:59
S7	0	S4 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 15:15
S9	372	S8 AND (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:38
S8	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:38
S10	247	S9 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:39
S11	63	S10 AND (455/7,9,11,1,18,41,2,66,1,67,11,88,91,130,403,404,1,405,422,446,449,450,456,1,456,3,466,507,517,550,561.ccls. 340/10,1,505,521,531,539,01,539,17,539,19,539,22,541,545,4,545,5,550,552,573,1.ccls. 370/203,208,210.ccls. 375/226,240,03,260,329,334,341,367.ccls. 367/118,124,127,128,129,135,136.ccls. 709/203,216,217,219,223,224,228,229,232,247.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:41

S12	12	S11 AND (satellite NEAR6 (link connection beams stream channel path access\$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 16:44
S13	0	S8 AND automatic\$3 NEAR6 (configur\$3 structur\$3 set\$3 align\$3 calibrat\$3 arang\$3 organiz\$3) WITH (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:02
S14	52	S8 AND automatic\$3 NEAR6 (configur\$3 structur\$3 set\$3 align\$3 calibrat\$3 arang\$3 organiz\$3) WITH (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:03
S15	32	S14 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:04
S16	131	(US-20100246430-\$ or US-20100235432-\$ or US-20100172316-\$ or US-20100074165-\$ or US-20100056196-\$ or US-20090296574-\$ or US-20090248886-\$ or US-20090219810-\$ or US-20090059791-\$ or US-20090022064-\$ or US-20080317159-\$ or US-20080228878-\$ or US-20080148154-\$ or US-20080117813-\$ or US-20080095071-\$ or US-20080062988-\$ or US-20080062877-\$ or US-20080056295-\$ or US-20080025337-\$ or US-20070180119-\$ or US-20070064604-\$ or US-20040143663-\$ or US-20030026357-\$ or US-20020147011-\$ or US-20020118638-\$ or US-20060160549-\$).did. or (US-20080123577-\$ or US-20040133683-\$ or US-20090300520-\$ or US-20090190734-\$ or US-20090164611-\$ or US-20090063686-\$ or US-20080298330-\$ or US-20080199155-\$ or US-20080153531-\$ or US-20070280203-\$ or US-20070239824-\$ or US-20070127374-\$ or US-20070036100-\$ or US-20070032225-\$ or US-20070028002-\$ or US-20070010275-\$ or US-20060259958-\$ or US-20060252444-\$ or US-20060121923-\$ or US-20060018302-\$ or US-20050261970-\$ or US-20050232242-\$ or US-20050213739-\$ or US-20050213563-\$ or US-20050195774-\$ or US-20050021699-\$ or US-20050013270-\$).did. or (US-20050009537-\$ or US-20040240652-\$ or US-20040218609-\$ or US-20040184427-\$ or US-20030088696-\$ or US-20030022683-\$ or US-20030003938-\$ or US-20030169824-\$ or US-20060058008-\$ or US-20060058007-\$ or US-20040064568-\$ or US-20080028211-\$ or US-20070217416-\$ or US-20030083046-\$ or US-20050210104-\$ or US-20050097317-\$ or US-20030012180-\$ or US-20070186251-\$).did. or (US-8218460-\$ or US-7826363-\$ or US-7733822-\$ or US-7720980-\$ or US-7657918-\$ or US-7656813-\$ or US-7650142-\$ or US-7649893-\$ or US-7619968-\$ or US-7493407-\$ or US-7463582-\$ or US-7203509-\$ or US-7139334-\$ or US-6804492-\$ or US-6501423-\$ or US-6480506-\$ or US-6320461-\$ or US-6125343-\$ or US-5673393-\$ or US-5608446-\$ or US-5512935-\$ or US-5969601-\$ or US-6331983-\$ or US-7869387-\$ or US-7869386-\$ or US-7860070-\$).did. or (US-7706339-\$ or US-7558235-\$ or US-7478172-\$ or US-7428214-\$ or US-7421281-\$ or US-7420956-\$ or US-7315617-\$ or US-7260632-\$ or US-7197126-\$ or US-7133928-\$ or US-7080157-\$ or US-7031700-\$ or US-6922547-\$ or US-6804528-\$ or US-6611872-\$ or US-6427170-\$ or US-6122483-\$ or US-6112083-\$ or US-6049548-\$ or US-5999525-\$ or US-5717830-\$ or US-5659878-\$ or US-5526404-\$ or US-8140844-\$ or US-7434046-\$ or US-7502927-\$ or US-RE43843-\$).did. or (US-6965593-\$ or US-6820132-\$ or US-6266339-\$ or US-6038594-\$ or US-7296091-\$ or US-7984174-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2013/03/28; 19:09
S17	28	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration) SAME (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 19:23
S18	22	S17 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 19:26
S21	3	S20 AND (satellite NEAR6 (link connection beams stream channel path access\$3 communicat\$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S20	22	S19 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S19	28	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration) SAME (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S22	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client	US-PGPUB; USPAT;	OR	ON	2013/03/28; 23:07

		customer register\$3 registration)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S23	1927	S22 AND @ad<="20080902" AND (455/12.1,13.1,13.2,13.3,17,406,426.1,430,456.3,503,518,519,520,521.ccls. 370/228,229,230,232,235,252,260,270,328,329,338,351,352,401,432,437,445.ccls. 375/226,240.03,260,295,324,329,334,341,367.ccls. 379/201.1,202.01,266.1.ccls. 709/204,205,221,222,224,226,227,231,238,249.ccls. 713/163.ccls. 725/33,63,114,126.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:11
S24	116	S23 AND (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:23
S25	17	S24 AND (satellite NEAR6 (link connection beams stream channel path access\$3 communicat\$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:24
L1	10	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (link path session) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:26
L2	4	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (link path session) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:27
L3	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) SAME (presence presentity) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:32
L5	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) AND (presence presentity) AND (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:33
L4	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) AND (presence presentity) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:33

3/30/2013 10:39:26 AM

C:\Users\ptran6\Documents\EAST\Workspaces\A_12202450_PresenceResourceMgmt_7.wsp

<i>Index of Claims</i> 	Application/Control No. 12202450	Applicant(s)/Patent Under Reexamination KHAN ET AL.
	Examiner PAUL P TRAN	Art Unit 2618

✓	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	04/22/2011	10/07/2011	06/02/2012	12/04/2012	03/30/2013					
1	1	✓	✓	✓	✓	=					
-	2	✓	✓	✓	✓	-					
2	3	✓	✓	✓	✓	=					
3	4	✓	✓	✓	✓	=					
4	5	✓	✓	✓	✓	=					
5	6	✓	✓	✓	✓	=					
6	7	✓	✓	✓	✓	=					
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-	9	✓	✓	✓	✓	-					
7	10	✓	✓	✓	✓	=					
8	11	✓	✓	✓	✓	=					
9	12	✓	✓	✓	✓	=					
10	13	✓	✓	✓	✓	=					
11	14	✓	✓	✓	✓	=					
-	15	✓	✓	-	-	-					
12	16	✓	✓	✓	✓	=					
13	17	✓	✓	✓	✓	=					
14	18	✓	✓	✓	✓	=					
-	19	✓	✓	-	-	-					
-	20	✓	✓	-	-	-					
15	21	✓	✓	✓	✓	=					



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376
86421	7590	05/10/2013	EXAMINER	
Patent Capital Group - Cisco			TRAN, PAUL P	
2816 Lago Vista Lane			ART UNIT	
Rockwall, TX 75032			PAPER NUMBER	
			2647	
			NOTIFICATION DATE	
			DELIVERY MODE	
			05/10/2013	
			ELECTRONIC	

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thomasframe@patcapgroup.com
patbradford@patcapgroup.com
peggsu@cisco.com



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
12/202,450	02 September, 2008	KHAN ET AL.	03919.0101 (956591)

Patent Capital Group - Cisco 2816 Lago Vista Lane Rockwall, TX 75032		EXAMINER	
		PAUL P. TRAN	
		ART UNIT	PAPER
		2647	20130507

DATE MAILED:

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

Commissioner for Patents

The examiner has reconsidered and initialized the IDS filed on 09/02/2008 and a copy of the IDS is attached.

/Andrew Wendell/
Acting SPE of Art Unit 2647

/PAUL P TRAN/
Examiner, Art Unit 2647

PTO-90C (Rev.04-03)

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3483	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 ramp\$3) WITH bandwidth WITH (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:07
S2	2	S1 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:18
S3	2	S2 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:19
S4	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:57
S6	4	S5 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:59
S5	4	S4 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 14:59
S7	0	S4 AND automatical\$3 NEAR6 (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 15:15
S9	372	S8 AND (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:38
S8	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:38
S10	247	S9 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:39
S11	63	S10 AND (455/7,9,11,1,18,41,2,66,1,67,11,88,91,130,403,404,1,405,422,446,449,450,456,1,456,3,466,507,517,550,561.ccls. 340/10,1,505,521,531,539,01,539,17,539,19,539,22,541,545,4,545,5,550,552,573,1.ccls. 370/203,208,210.ccls. 375/226,240,03,260,329,334,341,367.ccls. 367/118,124,127,128,129,135,136.ccls. 709/203,216,217,219,223,224,228,229,232,247.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 16:41

S12	12	S11 AND (satellite NEAR6 (link connection beams stream channel path access\$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 16:44
S13	0	S8 AND automatic\$3 NEAR6 (configur\$3 structur\$3 set\$3 align\$3 calibrat\$3 arang\$3 organiz\$3) WITH (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:02
S14	52	S8 AND automatic\$3 NEAR6 (configur\$3 structur\$3 set\$3 align\$3 calibrat\$3 arang\$3 organiz\$3) WITH (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:03
S15	32	S14 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 17:04
S16	131	(US-20100246430-\$ or US-20100235432-\$ or US-20100172316-\$ or US-20100074165-\$ or US-20100056196-\$ or US-20090296574-\$ or US-20090248886-\$ or US-20090219810-\$ or US-20090059791-\$ or US-20090022064-\$ or US-20080317159-\$ or US-20080228878-\$ or US-20080148154-\$ or US-20080117813-\$ or US-20080095071-\$ or US-20080062988-\$ or US-20080062877-\$ or US-20080056295-\$ or US-20080025337-\$ or US-20070180119-\$ or US-20070064604-\$ or US-20040143663-\$ or US-20030026357-\$ or US-20020147011-\$ or US-20020118638-\$ or US-20060160549-\$).did. or (US-20080123577-\$ or US-20040133683-\$ or US-20090300520-\$ or US-20090190734-\$ or US-20090164611-\$ or US-20090063686-\$ or US-20080298330-\$ or US-20080199155-\$ or US-20080153531-\$ or US-20070280203-\$ or US-20070239824-\$ or US-20070127374-\$ or US-20070036100-\$ or US-20070032225-\$ or US-20070028002-\$ or US-20070010275-\$ or US-20060259958-\$ or US-20060252444-\$ or US-20060121923-\$ or US-20060018302-\$ or US-20050261970-\$ or US-20050232242-\$ or US-20050213739-\$ or US-20050213563-\$ or US-20050195774-\$ or US-20050021699-\$ or US-20050013270-\$).did. or (US-20050009537-\$ or US-20040240652-\$ or US-20040218609-\$ or US-20040184427-\$ or US-20030088696-\$ or US-20030022683-\$ or US-20030003938-\$ or US-20030169824-\$ or US-20060058008-\$ or US-20060058007-\$ or US-20040064568-\$ or US-20080028211-\$ or US-20070217416-\$ or US-20030083046-\$ or US-20050210104-\$ or US-20050097317-\$ or US-20030012180-\$ or US-20070186251-\$).did. or (US-8218460-\$ or US-7826363-\$ or US-7733822-\$ or US-7720980-\$ or US-7657918-\$ or US-7656813-\$ or US-7650142-\$ or US-7649893-\$ or US-7619968-\$ or US-7493407-\$ or US-7463582-\$ or US-7203509-\$ or US-7139334-\$ or US-6804492-\$ or US-6501423-\$ or US-6480506-\$ or US-6320461-\$ or US-6125343-\$ or US-5673393-\$ or US-5608446-\$ or US-5512935-\$ or US-5969601-\$ or US-6331983-\$ or US-7869387-\$ or US-7869386-\$ or US-7860070-\$).did. or (US-7706339-\$ or US-7558235-\$ or US-7478172-\$ or US-7428214-\$ or US-7421281-\$ or US-7420956-\$ or US-7315617-\$ or US-7260632-\$ or US-7197126-\$ or US-7133928-\$ or US-7080157-\$ or US-7031700-\$ or US-6922547-\$ or US-6804528-\$ or US-6611872-\$ or US-6427170-\$ or US-6122483-\$ or US-6112083-\$ or US-6049548-\$ or US-5999525-\$ or US-5717830-\$ or US-5659878-\$ or US-5526404-\$ or US-8140844-\$ or US-7434046-\$ or US-7502927-\$ or US-RE43843-\$).did. or (US-6965593-\$ or US-6820132-\$ or US-6266339-\$ or US-6038594-\$ or US-7296091-\$ or US-7984174-\$).did. or (US-20030063608-\$).did.	US-PGPUB; USPAT; DERWENT	OR	ON	2013/03/28; 19:09
S17	28	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration) SAME (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 19:23
S18	22	S17 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 19:26
S21	3	S20 AND (satellite NEAR6 (link connection beams stream channel path access\$3 communicat\$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S20	22	S19 AND @ad<="20080902"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S19	28	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer register\$3 registration) SAME (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identifi\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28; 23:04
S22	8743	(increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modifi\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client	US-PGPUB; USPAT;	OR	ON	2013/03/28; 23:07

		customer register\$3 registration)	USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S23	1927	S22 AND @ad<="20080902" AND (455/12.1,13.1,13.2,13.3,17,406,426.1,430,456.3,503,518,519,520,521.ccls. 370/228,229,230,232,235,252,260,270,328,329,338,351,352,401,432,437,445.ccls. 375/226,240.03,260,295,324,329,334,341,367.ccls. 379/201.1.202.01,266.1.ccls. 709/204,205,221,222,224,226,227,231,238,249.ccls. 713/163.ccls. 725/33,63,114,126.ccls.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:11
S24	116	S23 AND (select\$3 screen\$3 filter\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3 detect\$3 obtain\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH (based relat\$3 relied relying correspond\$3) NEAR8 bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:23
S25	17	S24 AND (satellite NEAR6 (link connection beams stream channel path access\$3 communicat\$4))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/28 23:24
S26	10	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (link path session) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:26
S27	4	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (link path session) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).dm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:27
S28	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) SAME (presence presentity) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).dm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:32
S30	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) AND (presence presentity) AND (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).dm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:33
S29	0	((determin\$3 identif\$4 find\$3 detect\$3 sens\$3 discover\$3 estimat\$3 calculat\$3 comput\$3 search\$3 scan\$3) WITH multi\$cast\$3 NEAR8 (domain group cluster set subset sub\$group) AND (presence presentity) SAME (increas\$3 add\$3 rais\$3 augment\$3 enlarg\$3 adjust\$3 correct\$3 regulat\$3 modif\$4 alter\$3 chang\$3 varies varying) WITH bandwidth SAME (add\$3 additional extra more new) NEAR8 (user subscriber recipient client customer device terminal unit)).dm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/03/30 10:33
L1	21	(6507562 6507586 6741575 6981032 7035258 7095739 7133502 7248598 7275111 7389359).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/07 10:11
L2	2	L1 AND (select\$3 obtain\$3 choos\$3 chosen choice screen\$3 filter\$3 detect\$3 discover\$3 identif\$4 sens\$3 scan\$3 find\$3 calculat\$3 estimat\$3 determin\$3 measur\$3 comput\$3) WITH (transcod\$3 cod\$3 code\$work link channel) WITH bandwidth	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/07 10:33
L3	12	L1 AND (satellite)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/07 10:36
L5	0	L1 AND (satellite) AND (presen\$3 presentity) NEAR6 (data information) WITH (user subscriber customer operator client device equipment terminal)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/05/07 10:42

L4	0	L1 AND (satellite) AND (presen\$3 presentity) NEAR6 (data information) WITH (user subscriber customer operator client)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM TDB	OR	ON	2013/05/07: 10:42
L6	2	L1 AND (satellite) AND (presen\$3 presentity) NEAR6 (data information)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM TDB	OR	ON	2013/05/07: 10:43

5/7/2013 10:50:14 AM
C:\Users\ptran6\Documents\EAST\Workspaces\A_12202450_PresenceResourceMgment_7.wsp

Receipt date: 09/02/2008

Sheet 1 of 1

Substitute Form PTO-1449 U.S. Department of Commerce (Modified) Patent and Trademark Office Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	Attorney Docket No.	12/202450
	3919.0101	
	Applicant(s): Zeeshan Khan et al.	
	Filing Date: September 2, 2008	Group Art Unit: 2647

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/P.T./	AA	6,507,562	01/14/2003	Kadansky et al.			
	AB	6,507,586	01/14/2003	Satran et al.			
	AC	6,741,575	05/25/2004	Zhang et al.			
	AD	6,981,032	12/27/2005	Boivie et al.			
	AE	7,035,258	04/25/2006	Alam et al.			
	AF	7,095,739	08/22/2006	Mamillapalli et al.			
	AG	7,133,502	11/07/2006	Wolters et al.			
	AH	7,248,598	07/24/2007	Couty			
	AI	7,275,111	09/25/2007	Cabrera et al.			
	AJ	7,389,359	06/17/2008	Jain et al.			
	AK						

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AL							
	AM							

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AN	
	AO	

Examiner Signature /Paul Tran/	Date Considered 05/07/2013
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Disclosure Form (PTO-1449)

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **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)

86421 7590 04/10/2013
Patent Capital Group - Cisco
2816 Lago Vista Lane
Rockwall, TX 75032

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

Roseanne Cisneros de Chairez	(Depositor's name)
/Roseanne Cisneros de Chairez/	(Signature)
June 10, 2013	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	09/02/2008	Zeeshan Khan	03919.0101 (956591)	1376

TITLE OF INVENTION: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	07/10/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRAN, PAUL P	2647	455-518000

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 _____
2 PATENT CAPITAL GROUP
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 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 50-4889 (enclose an extra copy of this form).

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: 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 /Thomas J. Frame/

Date June 10, 2013

Typed or printed name Thomas J. Frame

Registration No. 47,232

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.

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Electronic Patent Application Fee Transmittal				
Application Number:		12202450		
Filing Date:		02-Sep-2008		
Title of Invention:		SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT		
First Named Inventor/Applicant Name:		Zeeshan Khan		
Filer:		Thomas John Frame/Roseanne Cisneros de Chairez		
Attorney Docket Number:		03919.0101 (956591)		
Filed as Large Entity				
Utility under 35 USC 111(a) 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	1780	1780
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 (\$)				2080

Electronic Acknowledgement Receipt	
EFS ID:	15994167
Application Number:	12202450
International Application Number:	
Confirmation Number:	1376
Title of Invention:	SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED TRUNKING IN A NETWORK ENVIRONMENT
First Named Inventor/Applicant Name:	Zeeshan Khan
Customer Number:	86421
Filer:	Thomas John Frame/Roseanne Cisneros de Chairez
Filer Authorized By:	Thomas John Frame
Attorney Docket Number:	03919.0101 (956591)
Receipt Date:	10-JUN-2013
Filing Date:	02-SEP-2008
Time Stamp:	15:19:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$2080
RAM confirmation Number	1931
Deposit Account	504889
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 1.21 (Miscellaneous fees and charges)	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Post Allowance Communication - Incoming	03919-0101-NOA-Comments.pdf	95303	no	2
			21bda92fa49704d56d2f71832230575ccab eecd2		
Warnings:					
Information:					
2	Issue Fee Payment (PTO-85B)	03919-0101- PartBFeesTransmittal.pdf	96712	no	2
			a73ab95231d7ea7978fd4d92fe86da594a 03e5		
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32500	no	2
			ab97463b51c85b8da02600bb8e854a41c6 10f8d2		
Warnings:					
Information:					
Total Files Size (in bytes):			224515		
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.					

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zeeshan Khan, et al.
Serial No.: 12/202,450
Filing Date: September 2, 2008
Confirmation No.: 1376
Group Art Unit: 2647
Examiner: Paul P. Tran
Title: SYSTEM AND METHOD FOR PROVIDING PRESENCE BASED
TRUNKING IN A NETWORK ENVIRONMENT

MAIL BOX ISSUE FEE

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

Dear Sir:

APPLICANT'S COMMENTS ON REASONS FOR ALLOWANCE

These comments are responsive to the Notice of Allowance mailed on April 10, 2013, which sets forth the Examiner's statement of reasons for allowance. Applicant appreciates the Examiner's allowance of Claims 1, 3-7, 10-14, 16-18, and 21. Pursuant to 37 C.F.R. §1.104, Applicant respectfully issues a statement commenting on the Examiner's reasons for allowance.

Applicant respectfully disagrees with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicant does not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

ATTORNEY DOCKET NO.
03919.0101 (956591)
Confirmation No. 1376

PATENT APPLICATION
12/202,450

2

Applicant respectfully reserves the right to introduce, articulate, or otherwise comment on any additional reasons for allowances as may be appropriate in any future proceedings concerning the one or more claimed embodiments.

Respectfully submitted,

Patent Capital Group
Attorneys for Applicant

Date: June 10, 2013

/Thomas J. Frame/
Thomas J. Frame
Reg. No. 47,232

Customer No. **86421**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/202,450	07/16/2013	8489134	03919.0101 (956591)	1376

86421 7590 06/26/2013
Patent Capital Group - Cisco
2816 Lago Vista Lane
Rockwall, TX 75032

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 697 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

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

Zeeshan Khan, Fremont, CA;
Keith Edmund O'Brien, Metuchen, NJ;
Shmuel Shaffer, Palo Alto, CA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

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
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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
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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
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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
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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