

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. application of:

Application No.: 13/922,227

Filed: 06/19/2013

Applicant: Gurvinder Singh

Title: Automatic multimedia upload for
publishing data and multimedia content

Examiner: Nooristany, Sulaiman

Art Unit: 2478

Attorney Docket No.: Cellspin_04Con3_US

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Request for Continued Examination

Examiner Sulaiman Nooristany:

In response to the non-final office action dated November 01, 2013, please amend
the above-referenced application as follows:

Amendments to the Claims are listed on page 2 of this response.

Remarks begin on page 13 of this response.

Attachments:

1. Transmittal Form, PTO/SB/21;
2. Request for continued Examination (RCE), first request, Form PTO/SB/30;
3. Request for Prioritized Examination (Track 1), Form PTO/SB/424;
4. Payment of the following fee:
 - \$600 towards RCE fee;
 - \$2000 towards Track 1 Prioritized Examination; and
 - \$70 processing fee;

The Director is hereby authorized to charge any underpayment of fee or any other fee that
may be required to deposit account no. 503291.

Amendments to the Claims

Claim 1 (previously presented): A method for acquiring and transferring data from a Bluetooth enabled data capture device to one or more web services via a Bluetooth enabled mobile device, the method comprising:

providing a software module on the Bluetooth enabled data capture device;

providing a software module on the Bluetooth enabled mobile device;

establishing a paired connection between the Bluetooth enabled data capture device and the Bluetooth enabled mobile device;

acquiring new data in the Bluetooth enabled data capture device, wherein new data is data acquired after the paired connection is established;

detecting and signaling the new data for transfer to the Bluetooth enabled mobile device, wherein detecting and signaling the new data for transfer comprises:

determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device; and

sending a data signal to the Bluetooth enabled mobile device, corresponding to existence of new data, by the software module on the Bluetooth enabled data capture device automatically, over the established paired Bluetooth connection, wherein the software module on the Bluetooth enabled mobile device listens for the data signal sent from the Bluetooth enabled data capture device;

transferring the new data from the Bluetooth enabled data capture device to the Bluetooth enabled mobile device automatically over the paired Bluetooth connection by the software module on the Bluetooth enabled data capture device;

receiving, at the Bluetooth enabled mobile device, the new data from the Bluetooth enabled data capture device;

applying, using the software module on the Bluetooth enabled mobile device, a user identifier to the new data for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service;

transferring the new data received by the Bluetooth enabled mobile device along with a user identifier to the one or more web services, using the software module on the Bluetooth enabled mobile device;

receiving, at the one or more web services, the new data and user identifier from the Bluetooth enabled mobile device, wherein the one or more web services receive the transferred new data corresponding to a user identifier; and

making available, at the one or more web services, the new data received from the Bluetooth enabled mobile device for public or private consumption over the internet, wherein one or more portions of the new data correspond to a particular user identifier.

Claim 2 (previously presented): The method of claim 1, wherein the user identifier comprises one or more elements from user information, and wherein the one or more elements of the user information comprise user-name, user-password, user-device-information, user settings, or user preferences.

Claim 3 (previously presented): The method of claim 1, wherein the data signal and the new data are transferred from the Bluetooth enabled data capture device to the Bluetooth enabled mobile device simultaneously as part of a data object.

Claim 4 (previously presented): The method of claim 1, wherein if permitted by the network configuration settings, the data signal sent to the Bluetooth enabled mobile device comprises a data signal and one or more portions of the new data.

Claims 5-8 (canceled).

Claim 9 (previously presented): The method of claim 1, wherein Bluetooth capability is provided internally in the Bluetooth enabled data capture device.

Claim 10 (previously presented): The method of claim 1, wherein Bluetooth capability is provided to the Bluetooth enabled data capture device by an external Bluetooth module.

Claims 11-15 (canceled).

Claim 16 (previously presented): A method for acquiring and transferring data from a Bluetooth enabled data capture device to one or more web services via a Bluetooth enabled mobile device, the method comprising:

providing a software module on the Bluetooth enabled data capture device;

providing a software module on the Bluetooth enabled mobile device;

establishing a paired connection between the Bluetooth enabled data capture device and the Bluetooth enabled mobile device;

acquiring new data in the Bluetooth enabled data capture device, wherein new data is data acquired after the paired connection is established;

detecting and signaling the new data for transfer to the Bluetooth enabled mobile device, wherein detecting and signaling the new data for transfer comprises:

determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device; and

sending a data signal to the Bluetooth enabled mobile device, corresponding to existence of new data, by the software module on the Bluetooth enabled data capture device automatically, over the established paired Bluetooth connection, wherein the software module on the Bluetooth enabled mobile device listens for the data signal sent from the Bluetooth enabled data capture device;

applying, using the software module on the Bluetooth enabled data capture device, a user identifier to the new data for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service;

transferring the new data acquired in the Bluetooth enabled data capture device along with a user identifier to the Bluetooth enabled mobile device automatically, over the paired Bluetooth connection, using the software module on the Bluetooth enabled data capture device;

receiving, at the Bluetooth enabled mobile device, the new data and a user identifier from the Bluetooth enabled data capture device;

transferring the new data and user identifier received by the Bluetooth enabled mobile device to the one or more web services using the software module on the Bluetooth enabled mobile device;

receiving, at the one or more web services, the new data and user identifier from the Bluetooth enabled mobile device, wherein the one or more web services receive the transferred new data corresponding to a user identifier; and

making available, at the one or more web services, the new data received from the Bluetooth enabled mobile device for public or private consumption over the internet, wherein one or more portions of the new data correspond to a particular user identifier.

Claim 17 (previously presented): The method of claim 1, wherein the new data received by the Bluetooth enabled mobile device comprises one or more of audio data, video data, image data, text data, or digital data.

Claim 18 (previously presented): The method of claim 16, wherein the user identifier comprises one or more elements from user information, and wherein the one or more elements of the user information comprise user-name, user-password, user-device-information, user settings, or user preferences.

Claim 19 (previously presented): The method of claim 1, wherein the new data transferred from the Bluetooth enabled mobile device to one or more web services is data associated with new data.

Claim 20 (previously presented): The method of claim 16, wherein Bluetooth capability is provided internally in the Bluetooth enabled data capture device.

Claim 21 (previously presented): The method of claim 16, wherein Bluetooth capability is provided to the Bluetooth enabled data capture device by an external Bluetooth module.

Claim 22 (canceled).

Claim 23 (previously presented): The method of claim 16, wherein the newly captured data comprises one or more of audio data, video data, image data, text data, or digital data.

Claim 24 (canceled).

Claim 25 (previously presented): The method of claim 16, wherein the new data acquired in the Bluetooth enabled data capture device is data associated with newly captured data.

Claims 26-28 (canceled).

Claim 29 (previously presented): The method of claim 16, wherein the data signal and the new data are transferred from the Bluetooth enabled data capture device to the Bluetooth enabled mobile device simultaneously as part of a data object.

Claim 30 (previously presented): The method of claim 16, wherein if permitted by the network configuration settings, the data signal sent to the Bluetooth enabled mobile device comprises a data signal and one or more portions of the new data.

Claim 31 (previously presented): A method for acquiring and transferring data from a Bluetooth enabled data capture device to one or more web services via a Bluetooth enabled mobile device, the method comprising:

providing a software module on the Bluetooth enabled data capture device;

providing a software module on the Bluetooth enabled mobile device;

establishing a paired connection between the Bluetooth enabled data capture device and the Bluetooth enabled mobile device;

acquiring new data in the Bluetooth enabled data capture device, wherein new data is data acquired after the paired connection is established;

detecting the new data for transfer to the Bluetooth enabled mobile device, wherein detecting the new data for transfer comprises:

polling the Bluetooth enabled data capture device using the software module on the Bluetooth enabled mobile device over the established paired Bluetooth connection; and

determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device;

transferring the new data from the Bluetooth enabled data capture device to the Bluetooth enabled mobile device automatically over the paired Bluetooth connection by the software module on the Bluetooth enabled data capture device;

receiving, at the Bluetooth enabled mobile device, the new data from the Bluetooth enabled data capture device;

applying, using the software module on the Bluetooth enabled mobile device, a user identifier to the new data for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service;

transferring the new data received by the Bluetooth enabled mobile device along with a user identifier to the one or more web services, using the software module on the Bluetooth enabled mobile device;

receiving, at the one or more web services, the new data and user identifier from the Bluetooth enabled mobile device, wherein the one or more web services receive the transferred new data corresponding to a user identifier; and

making available, at the one or more web services, the new data received from the Bluetooth enabled mobile device for public or private consumption over the internet, wherein one or more portions of the new data correspond to a particular user identifier.

Claim 32 (canceled).

Claim 33 (canceled).

Claim 34 (previously presented): The method of claim 31, wherein the user identifier comprises one or more elements from user information, and wherein the one or more elements of the user information comprise user-name, user-password, user-device-information, user settings, or user preferences.

Claim 35 (previously presented): The method of claim 31, wherein Bluetooth capability is provided internally in the Bluetooth enabled data capture device.

Claim 36 (previously presented): The method of claim 31, wherein Bluetooth capability is provided to the Bluetooth enabled data capture device by an external Bluetooth module.

Claim 37 (previously presented): The method of claim 31, wherein the newly captured data comprises one or more of audio data, video data, image data, text data, or digital data.

Claim 38 (previously presented): The method of claim 31, wherein the new data transferred from the Bluetooth enabled mobile device to one or more web services is data associated with new data.

Claim 39 (withdrawn): A method of segmented data transfer from a Bluetooth enabled mobile device to one or more web services, the method comprising:

providing a software module on the Bluetooth enabled mobile device;

determining size of data to be transferred from the Bluetooth enabled mobile device to the one or more web services, using the software module on the Bluetooth enabled mobile device;

transferring the data from the Bluetooth enabled mobile device to the one or more web services using an application level segmented data transfer protocol due in part to present data size and data transfer capabilities of the Bluetooth enabled mobile device, wherein transferring data using the segmented data transfer protocol comprises:

segmenting data into data segments, at the application level by the software module on the Bluetooth enabled mobile device;

applying a segment identifier to each data segment, at the application level by the software module on the Bluetooth enabled mobile device;

applying a user identifier to each data segment for each destination web service, at the application level by the software module on the Bluetooth enabled mobile device, wherein each user identifier uniquely identifies a particular user of the web service;

transferring a data segment along with a user identifier and a segment identifier to the web service, using the software module on the Bluetooth enabled mobile device;

receiving a synchronization message from the web service, corresponding to successful completion of a data segment transfer, by the software module on the Bluetooth enabled mobile device;

repeating the transferring a data segment step and receiving the synchronization message step, until all the data segments have been transferred to the web service successfully, wherein if segmented data transfer is interrupted, the transferring a data segment step further comprises:

 sending, using the software module on the Bluetooth enabled mobile device, a synchronization request to the web service, for a user identifier, after a network connection to the web service is restored;

 receiving, at the software module on the Bluetooth enabled mobile device, a synchronization reply back from the web service, corresponding to the successfully received segmented data, for a user identifier; and

 resuming, using the software module on the Bluetooth enabled mobile device, the segmented data transfer from the point immediately following the last successful receipt of the segmented data by the web service, for a user identifier.

Claim 40 (withdrawn): The method of claim 39, wherein the data received by the Bluetooth enabled mobile device comprises one or more of audio data, video data, image data, text data, or digital data.

Claim 41 (withdrawn): The method of claim 39, wherein the data transferred from the Bluetooth enabled mobile device to one or more web services is received data.

Claim 42 (withdrawn): The method of claim 39, wherein the data transferred from the Bluetooth enabled mobile device to one or more web services is data associated with received data.

Claim 43 (withdrawn): The method of claim 39, wherein transferring the data further comprises:

configuring the data at the Bluetooth enabled mobile device, so that it can be received by the one or more web services and reassembled.

Claim 44 (withdrawn): The method of claim 39, wherein the user identifier comprises one or more elements from user information, and wherein the one or more elements of the user information comprise user-name, user-password, user-device-information, user settings, or user preferences.

Remarks

The Present invention and the Pending Claims

This invention relates generally to distribution of multimedia content. More particularly, this invention relates to pairing a data capture device in conjunction with a mobile device for automatically publishing data and multimedia content on one or more websites simultaneously.

Claims 1-4, 9, 10, 16-21, 23, 25, and 29-38 are currently pending. Claims 39-44 are withdrawn as a result of restriction imposed by the examiner. Reconsideration and allowance of the pending claims is respectfully requested.

Summary of the Office Action

Election/Restrictions

This application contains claims directed to the following patentably distinct species:

- I. Claims **1-4, 9-10, 16-21, 23, 25, 29-38** drawn to A method for acquiring and transferring data from a Bluetooth enabled data capture device to one or more web services via a Bluetooth enabled mobile device, the method comprising, classified in class 709, subclass 230.
- II. Claim 39-44 drawn to A method of segmented data transfer from a Bluetooth enabled mobile device to one or more web services, the method comprising, classified in class 709, subclass 217. Claims 1-28 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 17-44 of copending/parent application No. 13740214 & claims 1-2, 4-13, 16 of parent application No. 12333303. Although the conflicting claims are not identical, they are not

patentably distinct from each other because they are both similar for linking accounts to addresses.

Claim Rejections

Claims 1-4, 9, 16-20, 23, 25, 29-35, 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy 20030157960 in view of Behzad US 20090023428.

Claims 10, 21 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy 20030157960 in view of Behzad US 20090023428 further in view of Hong 20060264176.

Amendments to the Claims

Claims 32 and 33 are canceled in this response.

Claims 39-44 are withdrawn as a result of restriction imposed by the examiner. All other pending claims remain as previously presented.

The office action states: “**Newly submitted claim 39 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claim 39 drawn to A method of segmented data transfer from a Bluetooth enabled mobile device to one or more web services, the method comprising, classified in class 709, subclass 217. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 39 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.**”

To expedite prosecution and without conceding to the Examiner’s positions, applicant elects **group I, without traverse**, i.e. “Claims **1-4, 9-10, 16-21, 23, 25, 29-38**

drawn to A method for acquiring and transferring data from a Bluetooth enabled data capture device to one or more web services via a Bluetooth enabled mobile device, the method comprising, classified in class 709, subclass 230” and withdraws group II i.e., claims 39-44.”

The office action also states: **“Claims 1-4, 9, 16-20, 23, 25, 29-35, 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy 20030157960 in view of Behzad US 20090023428.”**

In response to the above rejection, applicant submits that Kennedy in view of Behzad does not teach or suggest all the limitations in applicant’s independent claims 1, 16 and 31.

Applicant discloses a method and system for utilizing a digital data capture device in conjunction with a Bluetooth (BT) enabled mobile device for publishing data and multimedia content on one or more websites automatically or with minimal user intervention. **First**, a paired connection is established between the BT enabled data capture device and the BT enabled mobile device. **“New data” is acquired** by the Bluetooth enabled data capture device **after the paired connection is established** (see page 6, line 1 to page 8, line 12 of applicant’s disclosure).

Kennedy in view of Behzad does not teach or disclose a step of obtaining “new data” after a paired Bluetooth connection is established between a Bluetooth enabled data capture device and a Bluetooth enabled mobile device.

Data acquired in applicant’s case is the “new data” captured after the paired connection has been established between the two BT devices. In contrast, in the case of *Kennedy*, data is acquired by the camera **before** the paired connection is established with the mobile device. When the **accumulated data size** of all the captured pictures taken by the camera **reaches a memory threshold set by the user**, the camera **connects** with the

mobile device, sends the data that has been already acquired in the memory, and then **disconnects** the connection to the mobile device (see Kennedy paragraph [0032]).

Kennedy discloses that a camera may be configured for any one of a plurality of operational modes such as real-time upload, automatic upload or manual upload (see Kennedy, paragraph [0010]).

In *real-time mode*, the camera transfers its data to a home-based server as soon as the data is acquired and as quickly as the wireless connections allow (see Kennedy **FIG. 2**, element 100, home-based server, and paragraph [0031]). In *real-time mode*, **the camera does not check if a paired connection is pre-established** with the mobile device. For example in Kennedy's case, when the paired BT connection is unavailable, to make sure the pictures are sent "*as quickly as the wireless connections allow*" the camera in Kennedy will have to save the pictures in its local memory until the paired connection between the mobile and data capture device is established and then send the pictures when "*the wireless connection allows*". Therefore, in Kennedy, **there is no pre-check to ascertain that the paired connection to the mobile device is available**. In real time case, Kennedy **does not teach how to "enable" real time transfer of new or old data** i.e., **Kennedy does not teach either polling for new or old data** by the software module on the mobile device **or detecting the existence of new or old data and sending the data signals** corresponding to the existence of new or old data using the software module on the data capture device. All Kennedy says for real time is send "**as quickly as the wireless connections will allow**" (see Kennedy, paragraph [0031]). **Similar analogy would be like saying "build an engine as-fast-as-possible and then go to the moon" and not tell how to build that engine to go to the moon.**

Furthermore, applicant discloses **three ways to "enable"** the solution for automatic new data transfer, i.e. by polling for new data, detecting and signaling for new data, and a combination of these two (see applicant's original application, page 3, lines 17-19: "*detection and transfer of the captured data, the multimedia content, and the associated files to the BT enabled mobile device may be initiated by the digital data*

capture device"; also see "data and file monitoring and detection module **203b**" in **FIG. 2**). On the contrary, in the real time mode of operation in Kennedy, there is no enablement step for detecting the acquiring or existence of "new data".

For Kennedy, on September 18th 2008, even "The Board of Patent Appeals and Interference" acknowledged the enablement details for only "*memory threshold based feature of initiation*" as compared to prior arts Fukuoka and Harris and granted Kennedy patent for only claims 5-7 and 40 which are related to **automatic mode** of image transfer. All other claims were rejected. The following is the observation of the board: "Although we found Appellant's arguments unpersuasive in convincing us of error in the Examiner's 35 U.S.C. § 103(a) rejection of claims 1, 2, 8, 9, 32-36, and 38, we reach the opposite conclusion with respect to the rejection of claims 5-7 and 40. **Claims 5-7 and 40 are directed to the feature of initiation of the transmission of images by the portable electronic device's transceiver when the CPU in the portable electronic device determines that the memory coupled to the CPU has reached a threshold.**" The prior arts cited in the Kennedy case namely Fukuoka and Harris alone or when combined together also do not teach pre-establishing paired BT connection before acquiring new data, detection of new data by the software module on data capture device, data signaling, and data polling as taught in the applicant's disclosure.

In the automatic mode taught by Kennedy, the camera saves the pictures in its local memory until the memory is nearly full, or otherwise reaches a predetermined user programmed threshold. The camera then initiates a connection, transfers data to the mobile device and then disconnects (see Kennedy paragraph [0032]). In the manual mode taught by Kennedy, the user decides when to transfer the data by activating a control on the camera (see Kennedy paragraph [0033]). It is therefore clear that Kennedy is *not acquiring new data after establishing a paired Bluetooth connection* between the BT enabled data capture device and the BT enabled mobile device.

From the above, it is clear that Kennedy follows the following sequence to transfer data:

- (a) camera **detects the memory** to be full or nearly full,
- (b) **initiates** a connection to the cell phone,
- (c) **transfers data** and **then disconnects** (see Kennedy paragraph [0032]);

i.e., the camera captures the pictures without the connection, waits for some threshold event, and after the threshold event is reached, starts the connection process, transfers data, and then disconnects. *One of the main motivations for Kennedy* to follow the above sequence might be, *in 2002*, the batteries in both the mobile device and the data capture device had limited power storage capacity. In addition, a Bluetooth protocol in 2002 consumed a significant amount of power during the presence of a continuous ongoing connection between the mobile device and the data capture device over the BT connection. Conventional wisdom was to not have a constant BT connection between devices. On the contrary, conventional wisdom was to initiate the connection when required, use the connection and then terminate the connection to conserve battery charge on the devices. In 2002, the application architecture made sure that the battery on both the devices would not drain too quickly. However, **applicant in his initial disclosure in 2007** took the opposing view i.e. to have the BT pairing connection between devices as a pre-requisite before the data is acquired by the data capture device, and maintain the BT paired connection on a continuous basis for the application. Furthermore, applicant in his disclosure decided not to disconnect the BT paired connection after the transfer of data, mainly because he believed that having a constant connection would be the key to the overall improvement in the application architecture and responsiveness of the application. Further, applicant believed that the battery power storage capacity and BT protocol design would improve over time and might be less of an issue.

Therefore, Kennedy in view of Behzad does not teach or suggest the following limitations in claims 1, 16 and 31:

“acquiring new data in the Bluetooth enabled data capture device, wherein new data is data acquired after the paired connection is established;”

Applicant’s methods further disclose a step of **detecting and signaling** the acquired new data for transfer to the Bluetooth enabled mobile device (see page 3, lines 17-20 of applicant’s original application). As explained in the above section, “new data” is data acquired in the Bluetooth enabled data capture device which is captured after a paired Bluetooth connection is established with the Bluetooth enabled mobile device. The step of detecting and signaling the acquired new data comprises a first sub-step, **where the software module on the Bluetooth enabled data capture device detects the existence of new data which is captured by the Bluetooth enabled data capture device. In the second sub-step, the software module on the BT enabled data capture device sends a data signal corresponding to existence of new data to the BT enabled mobile device over the pre-established paired Bluetooth connection.** The software module on the Bluetooth enabled mobile device continuously listens for the data signal from the BT enabled data capture device over the pre-established paired Bluetooth connection (see page 7, lines 26-30 of applicant’s original application).

Kennedy in view of Behzad does not teach or suggest the above limitations. Page 6 of the office action alleges that Kennedy discloses the above limitations in **FIGS. 1 and 2** and paragraphs [0016]-[0036]. Applicant respectfully disagrees. Kennedy discloses that data transfer occurs in one of three modes namely, real-time, automatic, or manual (see Kennedy, paragraphs [0010] and [0030]-[0035]). However, **none of these modes involve “detecting” newly acquired data** as disclosed by applicant involving steps of **(a) determining the existence** of new data in the Bluetooth enabled data capture device, for transfer by the software module of the Bluetooth enabled data capture device, **(b) sending a data signal** to the Bluetooth enabled mobile device, corresponding to the existence of new acquired data, by the software module of the Bluetooth enabled data

capture device automatically, over the pre-established paired Bluetooth connection, and **(c) listening**, by a listener in the software module on the Bluetooth enabled mobile device, for the data signal sent from the Bluetooth enabled data capture device.

In applicant's disclosure, "new data" (in one case detected using a *data and file monitoring and detection module 203b*) may be a "new file" or a "new data object" captured by the camera, microphone, etc., after a paired Bluetooth connection is established. The software module on the Bluetooth enabled data capture device may have to determine "new data for transfer" for different data types and for different scenarios using different techniques (see page 6, lines 28-29 of applicant's original disclosure).

For example:

- A.** In case of video: software module may have to determine existence of New I-Frame or B-Frame multimedia object or the whole new video file in different file formats.
- B.** In case of text: software module may have to determine existence of new short text message or new text file.
- C.** In case of audio: software module may have to determine existence of new data object for AAC audio codec or other voice formats, or the whole new audio file in different audio formats.
- D.** In case of images: software module may have to determine existence of new image file, in some cases before image processing, i.e. sending raw image data file, or in some cases after image processing and compression i.e. after the image is compressed into JPEG format or PNG format or some other compression or filter, depending upon the scenario.

E. In case of other digital data types: software module may have to determine the existence of “new digital data object” that may be 5 bytes or 20 bytes or 400bytes and then start the signaling.

Points A-E are not required or taught in “Kennedy” mainly because it depends on **“reaching memory threshold”** and NOT on **detection of any type of newly captured or acquired data/data object/file** by for example, *a data and file monitoring and detection module 203b, as disclosed by the applicant*. Kennedy is waiting for size of captured data reaching a memory threshold set by the user and then initiates connection with a mobile device (see Kennedy paragraph [0010]) and that could happen as an example after 5 photos or 20 photos have already been captured on the data capture device.

First distinguishing feature with respect to Kennedy, Signal Initiation: Signal initiation for **detecting existence of “new data”** takes place **after “new data” is captured by the data capture device** in applicant’s disclosure (see page 3, lines 2-20 of applicant’s disclosure). In case of Kennedy, signal initiation takes place only **after the size of captured data reaches a memory threshold specified by the user**. Kennedy initiation, for example is Not after the new I-Frame data object creation or new file creation.

Second distinguishing feature with respect to Kennedy, Signaling: There is no signaling for existence of “new data” over a pre-established paired Bluetooth connection in the case of Kennedy. First because **there is no pre-established paired Bluetooth connection**, second because **there is no new data**, and third because **there is no signaling involved indicating the existence of new data** after the memory threshold is reached, there is just data transfer and then disconnect, but no signal.

Third distinguishing feature with respect to Kennedy, Detection of new data: Applicant’s method comprises **detection of existence of “new data” by the software module on the Data capture device and transfer of “new data” by the software**

module on the data capture device. This type of detection of “new data” is not taught by Kennedy.

After the detecting and signaling step, in the applicant’s method, the software module on the Bluetooth enabled data capture device transfers the acquired “new data” over the pre-established paired Bluetooth connection and the Bluetooth enabled mobile device receives the acquired “new data”.

Therefore, Kennedy does not teach or suggest the following limitations in claim 1:

“detecting and signaling the new data for transfer to the Bluetooth enabled mobile device, wherein detecting and signaling the new data for transfer comprises:

determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device; and

sending a data signal to the Bluetooth enabled mobile device, corresponding to existence of new data, by the software module on the Bluetooth enabled data capture device automatically, over the established paired Bluetooth connection, wherein the software module on the Bluetooth enabled mobile device listens for the data signal sent from the Bluetooth enabled data capture device;”

Subsequent sections of this response explain why Kennedy in view of Singh (USPTO Publication#20080109317 cited in the office action against applicant’s co-pending application 13/740214 in the USPTO) also does not teach or suggest the above limitations.

Page 7 of the office action alleges that Kennedy in view of Behzad discloses the following limitations (see Kennedy FIGS. 1 and 2, and paragraphs [0016] – [0036], and Behzad FIGS. 1C-2C, paragraphs [0064], [0093] "user preference", paragraph [0067] efficient information categorization and identification):

“applying, using the software module on the Bluetooth enabled mobile device, a user identifier to the new data for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service;”

“transferring the new data received by the Bluetooth enabled mobile device along with a user identifier to the one or more web services, using the software module on the Bluetooth enabled mobile device” and

“receiving, at the one or more web services, the new data and user identifier from the Bluetooth enabled mobile device, wherein the one or more web services receive the transferred new data corresponding to a user identifier”.

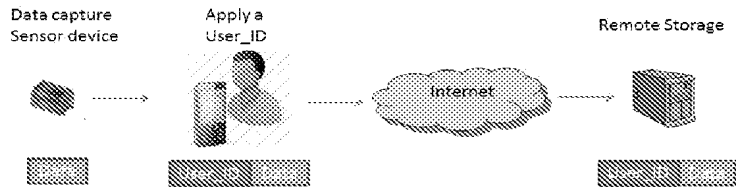
Applicant respectfully disagrees with the above conclusion of the office action. Kennedy merely discloses that an ASP may also **broadcast the images through an automated email distribution list, or may automatically post them to a web site**, which may then be accessed by multiple users (see Kennedy, paragraph [0029]). A full search of Kennedy, including paragraphs [0016] – [0036], does not reveal **applying user identifier to the new data, one for each of the one or more web services**.

Even Behzad does not teach *“applying, using the software module on the Bluetooth enabled mobile device, a user identifier to the new data **for each destination web service**, wherein **each user identifier uniquely** identifies a particular user of the web service”* as recited in applicant’s disclosure.

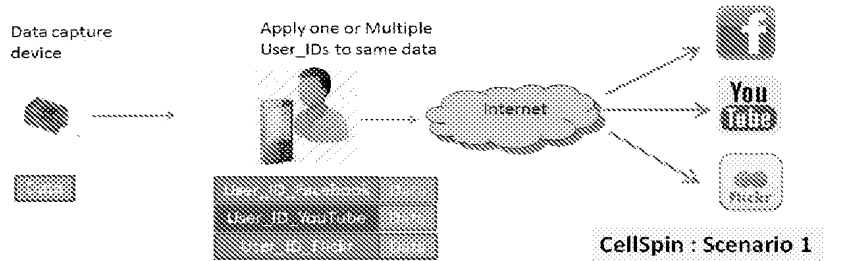
In applicant’s disclosure, the software module on the BT enabled mobile device may select websites for publishing the transferred data and the multimedia content based

on user preferences configured on the Bluetooth enabled mobile device (see **FIG. 5**, and page 8, lines 20-23 of applicant's original application). The software module on the data capture device may get the user information and preferences from the mobile device during the handshake protocol between the two devices. **For example:** When a particular user wants to send a particular image/data to three different web services, say Facebook, Flickr, and Youtube, for that particular user there will be **three different user identifiers** (*User_ID_Facebook, User_ID_Flickr, and User_ID_YouTube*) which will be **unique to each of those web services but belong to the same user** (See Exemplary illustration below).

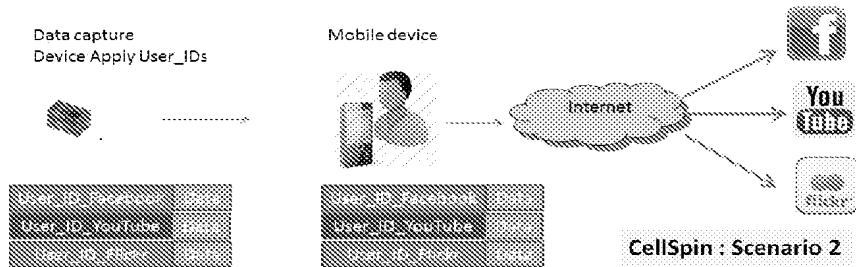
Behzad teaches : One User -> One User_ID for a given data transfer



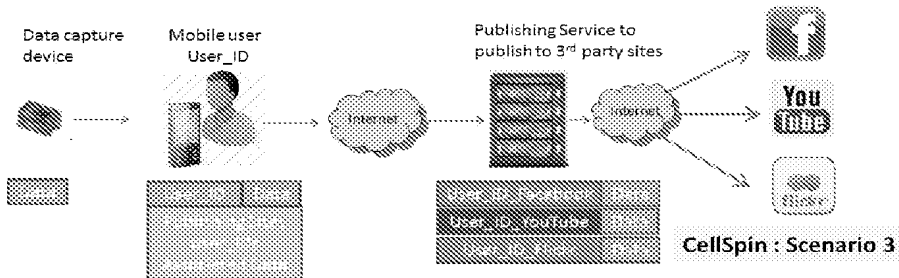
CellSpin : One user may apply multiple User_ID to same data and transmit that same data to different web services / Domains simultaneously.



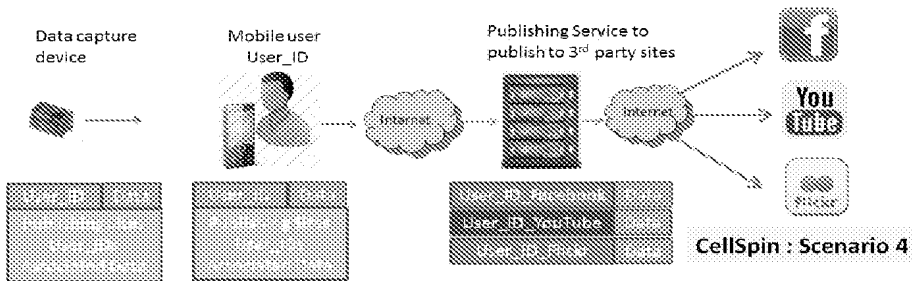
CellSpin : Scenario 1



CellSpin : Scenario 2



CellSpin : Scenario 3



CellSpin : Scenario 4

The user's **particular image data** is **tagged with three different user identifiers**, with **each corresponding unique user_ID** belonging to each particular web service.

Behzad does not teach **applying and tagging multiple unique user_ID's to one particular data object and transferring the data to multiple web services using those corresponding user_ID**. Behzad teaches applying "user ID" but does NOT teach "*uniqueness*" of those User IDs for each web service or how to handle multiple unique user_ID from the device and tagging the same data with multiple different unique IDs for the user.

Further, **each** of the three **unique user_ID's** may be created differently by each web service with different parameters and security considerations and **each of those three user_ID's** may be of different length, size and format. Furthermore, Behzad does not teach how to handle third party user_ID's that may not belong to the user's own domain. One of the main thrust of applicant's disclosure is using the third party user identifiers to publish to third party sites (see **FIG. 4**, page 12, line 5 to page 13, line 15 of applicant's original application).

Furthermore, Behzad does not teach how a user may use different set or different number of "unique user ids" for each type of media or sites or each transfer transaction. On the contrary, in applicant's disclosure, a user for example : may decide to use 2 unique user_ID's in one transfer case, 1 unique user_ID in another transfer case, and in yet another transfer case may use 5 unique user_ID's to publish same data to 2 or 1 or 5 different sites accordingly. The user_ID or user_ID's may not be fixed for all data types or all data transfer transactions for a given user. Behzad does not have a web publishing service that may span across multiple domains. Also Behzad is not concerned with sending same data tagged with different unique user IDs to "multiple" remote hosts administered by different companies or domains.

In summary, in the case of Behzad, one user can ONLY have one User_ID for a particular data, but in applicant's disclosure, one user may have multiple unique User_ID's for the data wherein each unique user_ID may belong to a different domain/company.

Therefore, neither Kennedy nor Behzad alone or when combined together teach or disclose the three limitations "applying....", "transferring...", and "receiving..." listed on page 23 of this response.

Since neither Kennedy nor Behzad teach or disclose the use of multiple unique identifiers for the new data, one for each of the web services, neither Kennedy nor Behzad alone or when combined together teach or disclose the following next limitation in claims 1, 16 and 31:

"making available, at the one or more web services, the new data received from the Bluetooth enabled mobile device for public or private consumption over the internet, wherein one or more portions of the new data correspond to a unique user identifier."

For the reasons stated above, applicant submits that even if Kennedy and Behzad are combined as suggested in the office action, there is no reasonable expectation of success in arriving at the invention recited in claim 1. Accordingly, applicant submits that claim 1 is non-obvious over Kennedy in view of Behzad, and respectfully requests the rejection of claim 1 be reconsidered and withdrawn.

Claim 16 is synonymous with claim 1 with the following difference: "the software module on the Bluetooth enabled data capture device will undertake the task of applying a plurality of user identifiers to the "new data", one for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service." After this the "new data" is transferred to the Bluetooth enabled mobile device, which will in turn transfer the "new data" to one or more web services.

Therefore, as in the case of claim 1, Kennedy in view of Behzad does not also teach or disclose many of the limitations in claim 16 that are functionally similar to the limitations in claim 1.

Claim 31 recites an alternate method of detecting “new data” for transfer to the Bluetooth enabled mobile device. The method comprises (a) *polling the Bluetooth enabled data capture device using the software module on the Bluetooth enabled mobile device over the established paired Bluetooth connection*, and (b) **determining the existence of new data for transfer by the Bluetooth enabled data capture device.**

The office action alleges that this is similar to applicant’s claims 1 and 16, and hence rejects claim 31 for the same reasons as claims 1 and 16. Applicant respectfully disagrees with the office action’s reasoning for rejecting claim 31. The Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007) noted that the analysis supporting a rejection under 35 U.S.C. **103** should be made explicit. The Court quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), stated that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” Claim 31 recites a completely different method of detecting “new data” acquired in the data captured device. Claims 1 and 16 recite that the data in the data capture device is **detected by a software module in the data capture device which determines the existence of the new data in the data capture device.** In contrast, in claim 31, **the new data in the data capture device is detected by a software module in the Bluetooth enabled mobile device, which is outside the data capture device.**

There is no evidence in Kennedy or Behzad of use of *polling* to detect the existence of “new data” on the Bluetooth enabled data capture device. Since other limitations of claim 31 are synonymous with claims 1 and 16, it is clear that Kennedy in

view of Behzad does not teach or disclose many of the limitations in claim 31 that are functionally similar to the limitations in claims 1 and 16, especially:

“detecting the new data for transfer to the Bluetooth enabled mobile device, wherein detecting the new data for transfer comprises:

polling the Bluetooth enabled data capture device using the software module on the Bluetooth enabled mobile device over the established paired Bluetooth connection; and

determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device;”

Subsequent sections of this response illustrate why Kennedy in view of Singh (USPTO Publication#20080109317 cited in the office action against applicant’s co-pending application 13/740214 in the USPTO) also does not teach many of the limitations in claim 31.

Applicant therefore respectfully requests that the rejection of claims 1-4, 9, 16-20, 23, 25, 29-35, 37-38 under 35 U.S.C.103(a) be reconsidered and withdrawn.

Claims 2-4, and 9-10 are dependent on claim 1. Since claim 1 is not obvious over Kennedy in view of Behzad, dependent claims 2-4, and 9-10 are also not obvious over Kennedy in view of Behzad and accordingly applicant respectfully requests that the rejection of claims 2-4, and 9-10 under 35 U.S.C.103(a) be reconsidered and withdrawn.

Claims 17-20, 23, 25, and 29-30 are dependent on claim 16. Since claim 16 is not obvious over Kennedy in view of Behzad, dependent claims 17-20, 23, 25, and 29-30 are also not obvious over Kennedy in view of Behzad and accordingly applicant respectfully requests that the rejection of claims 17-20, 23, 25, and 29-30 under 35 U.S.C. 103(a) be reconsidered and withdrawn.

Claims 34-35, and 37-38 are dependent on claim 31. Since claim 31 is not obvious over Kennedy in view of Behzad, dependent claims 34-35, and 37-38 are also not obvious over Kennedy in view of Behzad and accordingly applicant respectfully requests that the rejection of claims 34-35, and 37-38 under 35 U.S.C. 103(a) be reconsidered and withdrawn.

Claims 32 and 33 are canceled, rendering their rejection moot.

The office action also states: **“Claims 10, 21 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy 20030157960 in view of Behzad US 20090023428 further in view of Hong 20060264176.”**

In response to the above rejection, applicant submits the following arguments:

Claim 10 is dependent on claim 1. Claim 1 is not obvious over Kennedy in view of Behzad. Therefore, claim 1 is also not obvious over Kennedy in view of Behzad further in view of Hong. Since claim 1 is also not obvious over Kennedy in view of Behzad further in view of Hong, applicant respectfully submits that dependent claim 10 is also not obvious over Kennedy in view of Behzad further in view of Hong, and accordingly respectfully requests that the rejection of claim 10 under 35 U.S.C. 103(a) be reconsidered and withdrawn.

By the same reasoning as for claim 10, applicant respectfully requests that the rejection of claims 21 and 36 under 35 U.S.C. 103(a) be reconsidered and withdrawn.

The examiner has alleged in the office action dated 6th November 2013 for the co-pending application in USPTO 13/740214 that Singh (USPTO Publication# 20080109317) teaches that it is well known to have a system wherein transfer of data from the BT enabled data capture device to the BT enabled mobile device is based on one of a pull mode and a push mode of operation (e.g., pull mode or push mode operation - FIGS. 2, 4, 6, and paragraphs [0011-0012, 0019, 0021, 0048, 0060, 0067-

0071]) in order to make the system more efficient by transferring of the correlated information and advertisements to the mobile device that is performed using a Bluetooth object push profile for Bluetooth compatible devices [0012].

Applicant respectfully disagrees with the above rationale of the office action.

Singh teaches “transfer” of pre-existing “advertisements” and “business information” provided by vendors, from a Base Station Sensor Device to a mobile device, in the push mode but Singh does not teach applicant’s method of: (a) acquiring of new data for transfer by the Bluetooth enabled data capture device after establishing a paired Bluetooth connection with the Bluetooth enabled mobile device, (b) detecting and signaling the new data by the Bluetooth enabled data capture device, comprising: (b) (i) determining the existence of new data for transfer, by the software module on the Bluetooth enabled data capture device, and (b) (ii) sending a data signal to the Bluetooth enabled mobile device, corresponding to the new data, by the software module on the Bluetooth enabled data capture device automatically, over the pre-established paired Bluetooth connection, wherein the software module on the Bluetooth enabled mobile device listens for the data signal sent from the Bluetooth enabled data capture device.

Similarly, Singh teaches “transfer” of pre-existing “advertisements” and “business information” provided by vendors, from a Base Station Sensor Device to a mobile device, in the pull mode but Singh does not teach (a) polling the Bluetooth enabled data capture device, using the software module on the Bluetooth enabled mobile device, over the pre-established paired Bluetooth connection, and (b) determining the existence of new data for transfer.

First distinguishing feature compared to Singh: In “Singh” there is no BT enabled data capture device **that sends captured data.** “Advertisements” and “Business information” on Base Station Sensor Devices are **“configured by the vendor”** to be sent to **multiple mobile devices in the proximity of the Base Station Sensor devices** (see

Singh paragraph [0068]). The base station sensor devices in Singh are one of stand-alone base station devices and beacon devices with wireless capabilities (see Singh paragraph [0006]). In case of Singh, the Base Station Sensor Devices do not acquire or capture **“new data for transfer”** as in applicant’s disclosure. There is no camera/input device for capturing “new data for transfer”.

Singh discloses environmental sensors that capture temperature or humidity. However, the data captured by those sensors is **not** transferred to the mobile device. Instead, the environmental data is used for **correlating** with the business information and advertisements in the **information database 1502b** (see Singh FIG. 15). In Singh, the **“delivery engine 703e (see Singh FIG. 7) transfers the business information and advertisements correlated by the information correlator 703d to the client application 702”** (see Singh, paragraph [0093] and [0097]).

The delivery engine 703e in Singh does not transfer the captured environmental sensor data to the mobile client. For example, when the temperature sensor detects temperature of 95°F on a particular hot day, delivery engine **703e** sends the advertisement (image/video) for “Cold Frappuccino” and the business information about that “Cold Frappuccino” advertiser i.e. Joe’s Coffee shop. The business information sent is for example the name/address/phone-number/etc (see Singh FIG. 14B and FIG 14C). It is to be noted that the **delivery engine 703e does not send the temperature reading of 95°F to the mobile client**. All Singh sends is (advertisement + business information about the advertiser) correlated to the detected environment data. Environmental sensor data that is captured is **not** sent to the mobile client. Instead, environmental sensor data is **used to correlate to the information database 1502b** and send the appropriate advertisement (hot day advertisement or a cold day advertisement) and business information about the advertiser to the mobile client.

Since Base Station Sensor Device is not capturing data for transfer, there is no need for a software module on it to detect the capturing of “new data for transfer” and for signaling the mobile device for transferring the captured “new data”.

Second distinguishing feature compared to Singh: In Singh, Base Station Sensor **Devices do not send any data signal** to the mobile device corresponding to the new data for transfer over the pre-established paired Bluetooth connection, **because:**

- (a) Firstly **there is no “new data for transfer”** in Singh. Data that is transferred from the sensor (advertisement + business information) is **pre-configured by the vendor before the BT connection is established**. The environmental sensor data is only used to **correlate** to the data in the information database. The environmental sensor data is not transferred to the mobile device.
- (b) Secondly **“same advertisements and business information are being sent”** to **all the mobile devices in the proximity of the Base station Sensor Devices**. The same (advertisement + business information) data is being **sent to multiple mobile devices** and both advertisement and business information data are **pre-configured by the vendors and not newly acquired for transfer**.

Third distinguishing feature compared to Singh: Singh teaches a method of **detecting multiple devices/sensors in a 100 meter radius** using Bluetooth (see Singh FIG. 5). Singh **does not teach how to detect “new data/content for transfer” on a data capture device**. In applicant’s disclosure, there is a **software module on the data capture device that is detecting “existence of new data”**.

Fourth distinguishing feature compared to Singh: In Singh, there is **no pre-established paired connection** between two Bluetooth enabled devices. In applicant’s disclosure, **“new data for transfer” is detected after a secure pairing has been established between two Bluetooth enabled devices**. **One-to-one secure pairing** is a requirement in applicant’s disclosure and in Singh there is no one-to-one secure pairing. The type of connection is different in the Singh disclosure (**one-to-many i.e. one mobile**

device to many Base Station Sensor Devices and vice-versa) (see Singh FIG. 7, paragraphs [0075], [0069], [0070] and [0080]).

Fifth distinguishing feature compared to Singh: In Singh, “**same advertisement and business information data**” is transferred to **all mobile devices in the proximity of the Base Station Sensor Device over and over again and there is no “new data for transfer” being detected** (see Singh paragraphs [0069], [0070] and [0080]). In applicant’s disclosure, **new data for transfer may be a “new file” or a “new data object” captured by the camera, microphone, etc., after a paired Bluetooth connection is established.** The software module on the Bluetooth enables data capture device may have to determine “new data for transfer” for different data types and for different scenarios using different techniques (see example as illustrated in pages 20-21 of this response). In Singh there is no need for software modules for detection of any type of newly captured or acquired data for transfer.

Sixth distinguishing feature compared to Singh: Singh does not teach signaling of “**existence of new data**” over the pre-established paired one-to-one **Bluetooth connection** as taught in applicant’s disclosure and as in the claimed limitations. **This is because there is no “new data for transfer” and there is no “pre-established paired one-to-one Bluetooth connection” in Singh.**

Seventh distinguishing feature compared to Singh: In Singh the detection of new devices is performed **over the BT wireless link and using the Bluetooth wireless link.** In applicant’s case, **detection of “new data for transfer” is performed, and also this detection is not performed over the Bluetooth wireless link. Instead, a software module on the data capture device detects the presence of new data acquired inside the data capture device for transfer, like video data acquired inside the data capture device itself, and then signals to an external Bluetooth enabled mobile device, over a pre-established Bluetooth connection, regarding the presence of newly acquired data in the Bluetooth enabled data capture device.**

Summary of the arguments against combining Singh:

(1) Data capture for transfer:

Applicant: There is a **data capture device that captures new data for transfer and the new data for transfer is detected by the software module on the data capture device.**

Singh: There is **no “new data” being captured for transfer.** “Advertisements” and “Business information” on Base Station Sensor Devices are **“pre-configured by the vendor”**.

(2) Detection purpose:

Applicant: Purpose is to **detect new content within the data capture device itself** (see page 3, lines 8-11 of applicant’s disclosure).

Singh: Purpose is to **detect external sensor devices in the vicinity of the mobile device and vice versa (devices not content, external not internal)** (see Singh **FIG. 7**, paragraphs [0075], [0069], [0070] and [0080]).

(3) Data Security:

Applicant: The paired Data Capture device and mobile device are **private** individual user devices and data transferred between those two devices is **personal user data** (see page 6, lines 1-25 of applicant’s disclosure).

Singh: The data transferred between sensor and mobile device is **advertised public service data** and the advertisements are **public data** (not personal) (see Singh **FIG. 7**, paragraph [0075]).

(4) Connection type:

Applicant: **One-to-one pairing** is a basic requirement for application to work (see **FIGS. 2 and 5**, and page 6, lines 1-25 of applicant's disclosure).

Singh: **No pairing required** between mobile and sensor because of the nature of the Advertisement delivery paradigm (see Singh **FIG. 7**, paragraph [0076]).

(5) Detection timing:

Applicant: Detection of new data for transfer is done **after pairing connection is established** (see page 3, lines 2-13 of applicant's disclosure).

Singh: Detection is not done after pairing. In fact, **no pairing connection is required** for detection of various sensors or mobile devices or environmental / temperature sensors (see Singh **FIG. 4**, paragraph [0067]).

(6) What is being detected:

Applicant: Data capture device software **detects "new data for transfer"** (new file or new data object for transfer may be for example: 1. In case of video data: new I-Frame or B-Frame, 2. In case of text: new short text message or new text file, 3. In case of audio : new data object for AAC or other voice formats, 4. In case of image: New image file before or after processing i.e. raw data file or JPEG format or PNG format or some other compression, 5. In case of any other type: new digital data object may be 5 bytes or 20 bytes or 400 bytes) (see page 6, lines 28-29 of applicant's disclosure).

Singh: What is being detected are **various devices (mobile or sensors)** but no "new data for transfer" (see Singh **FIG. 1**, paragraph [0039] and **FIG. 4**, paragraph [0067]).

(7) Data transferred:

Applicant: **“new data”** (see **FIG. 5**, and page 13, lines 25-30 of applicant’s disclosure).

Singh: **“Same advertisement data” and “business information”** is being transferred to **all mobile devices over and over again** (there is no “new data for transfer”) (see Singh paragraphs [0069], [0070] and paragraph [0080]).

In conclusion, **“Signal Initiation”, “Signaling”, and “Detection of new data”** as in applicant’s disclosure are not taught or suggested in Kennedy or Singh or a combination of Kennedy and Singh.

In page 9 of the office action, examiner has made the following remark: **“The examiner stresses that the claims are too broad and require detail or specialization of the steps as recited in the claims. Alone and as claimed, the limitations are too open.”**

Applicant respectfully disagrees for the following reasons.

The claims in this application have at least the same or more number of restrictions than the claims patented in US8392591 B2, the parent of this application. The claims in this application have **more details and specialization of steps**.

For example, in the previous response dated Oct 18, 2013, applicant added the following **4 new limitations in the independent claims** that are NOT present in the patented claims:

1. A **“new data” limitation** *“acquiring new data in the Bluetooth enabled data capture device, wherein new data is data acquired after the paired connection is established”*

was added to claims 1, 16 and 31 in the previous response. This limits the scope of the claim as compared to the claims patented in US8392591 B2.

2. The limitation “***detecting and signaling the new data..... wherein the software module on the Bluetooth enabled mobile device listens for the data signal sent from the Bluetooth enabled data capture device***” was added to claims 1, 16 and 31 in the previous response. ***This detail and specialization of the step limits*** the scope of the claims as compared to the claims patented in US8392591 B2.
3. The limitation “***applying, using the software module on the Bluetooth enabled mobile device, a user identifier to the new data for each destination web service, wherein each user identifier uniquely identifies a particular user of the web service***” does not exist in the claims patented in US8392591 B2. ***This detail and specialization of the step limits*** the scope of the claim as compared to the patented claims.
4. Furthermore, the following limitations “***making available, at the one or more web services, the new data received from the Bluetooth enabled mobile device for public or private consumption over the internet, wherein one or more portions of the new data correspond to a particular user identifier***” is also not found in the claims patented in US8392591 B2. ***This detail and specialization of the step limits*** the scope of the claims as compared to the patented claims.

Applicant submits that the above list is not exhaustive and a number of other limitations can be further identified.

Further, applicant respectfully submits that in the **Year 2007** when applicant filed his provisional application related to this disclosure, there was no teaching or suggestion in the art about connecting another device to the mobile phone via Bluetooth and use the mobile phone connection to upload large videos or pictures or audio for publishing on various sites and how to enable it using *new data detection, signaling, unique user_ID for each web service, segmentation and reassembly at the application layer 7 in certain*

scenarios, using segment identifiers and synchronization at application layer 7, and then publishing the data objects using the unique user_ID's by the publishing service. In 2007 personal area network (PAN) and Bluetooth were in a nascent development and deployment stage, with uses talking about public and in-home Wi-Fi. PAN/ Bluetooth were being considered too slow and too power consuming. It was in such a scenario that applicant came up with his disclosure. Applicant therefore respectfully submits that a decision based on hindsight is incorrect and the invention must be viewed keeping in mind the art that existed at the time of the disclosure.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. In the interest of compact prosecution, if the prosecution of the application can be advanced or if a claim may be made potentially allowable by an Examiner's amendment, applicant requests Examiner Sulaiman Nooristany to call the undersigned with the proposed amendment.

Respectfully submitted,

Date: November 25, 2013

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