

REMARKS

This paper is in response to the Office Action dated Aug. 12, 2015. The Examiner is thanked for the Examination report and for considering the prior art cited in this case. Reconsideration of the pending claims is respectfully requested in light of the following remarks. No new matter is introduced.

In the Specification

Paragraph [0128] is amended to correct a typographical error. The is supported by original claim 2, the abstract and also the paragraph itself, which discusses return to a neutral setting after termination of use. No new matter is introduced by way of this amendment.

Examiner Interview

An Examiner Interview was conducted on Sept 3, 2015. In the Interview, discussion was had regarding the clarifying language of claim 1. In particular, the Examiner requested more clarity regarding the generation of the access code. The access code, as claimed, is generated by the server, in response to receipt of the request. This enables the server to generate more than one set of e-keys. As clarified in the independent claims, the access code is generated at a time after receipt of the request. This limitation was provided to clarify that the access code is generated *in response to* receiving the request. An Example of this is shown in Figure 31B, of the as-filed application. This is different from what is taught by Nanaka US2003/0160692, which relies on the vehicle to store an owner's authentication code (that is fixed and cannot be changed). See ¶ 54. The security provided by Nanaka is that authentication transceiver 14 (key fob) will store the same authentication code as is stored in memory on the vehicle. See ¶ 65. The provided clarification to the claims now further differentiates what is claimed from the teachings of Nanaka.

Rejection under 35 USC 102(b)

Claims 1, 2, 4, 8, 10 were rejected under 35 USC 102(b) over Nanaka (US2003/0160692). This rejection is respectfully traversed.

In Nanaka, teaching is provided regarding an electronic device 11 that includes a detachable grill panel 17 and body 16. This teaching relates to a type of

insertable radio system, such as those that receive CDs and have face plates that can be detached. Nanaka discloses that the vehicle will store an owner's authentication code (that is fixed and cannot be changed). See ¶ 54. This code is predefined and stored in memory that the micro-controller 31 can access. The security provided by Nanaka is that authentication transceiver 14 (key fob) will store the same authentication code as is stored in memory. See ¶ 65. Nanaka then compares the code stored in the body 16 with the code received from the fob 14, and if a match is found, then it is assumed that the user is authentic. See ¶65-66. Further, a user still needs to have a physical key 30 to use the vehicle, as Nanaka states the vehicle key 30 and the fob 14 are both "necessary" for use of the vehicle 2. See ¶66.

In the claims, an access code is generated at the server, in response to receiving the request. The reason that an access code is generated, is that a different code can be produced for each user that receives an e-key. This is not what is taught by Nanaka, which relies on a match between a pre-stored owner's authentication code (stored in memory of the vehicle) and the authentication code stored in the fob 14. This code in Nanaka "cannot be changed easily by the owner." ¶54.

The Applicant made amendments to further define the e-keys, As amended, the e-keys enable graphical icons on a screen of the device to be active for use of the vehicle, and at least one or more of the graphical icons on the screen enabling unlocking of the vehicle, turning on of the vehicle, or locking the vehicle. This is not taught by Nanaka et al. As noted, paragraph 066 of Nanaka states that the physical key 30 is needed. By way of this amendment, it is made clear that the e-keys are electronic and are those that enable the graphical icons on the screen, which will then enable the functions of the vehicle. The remaining references do not cure the deficiencies of Nanaka.

The dependent claims are submitted to be patentable over the art of record for at least the same reasons the independent claims are believed patentable. For at least these reasons, the Examiner is respectfully requested to withdraw the Section 102 rejections.

A notice of allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No VOLTP018.5.C1).

Respectfully submitted,
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