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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/019,036	11/19/2021	7103640	10406/43	7777
184647	7590	09/22/2022		
Reichman Jorgensen Lehman & Feldberg LLP			EXAMINER	
100 Marine Parkway			KE, PENG	
Suite 300				
Redwood City, CA 94065			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			09/22/2022	PAPER

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

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



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Fisch Sigler LLP
5301 Wisconsin Avenue NW
Fourth Floor
Washington, DC 20015

***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/019,036.

PATENT UNDER REEXAMINATION 7103640.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Notice of Intent to Issue Ex Parte Reexamination Certificate	Control No. 90/019,036	Patent Under Reexamination 7103640	
	Examiner PENG KE	Art Unit 3992	AIA Status No

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

1. ☒ Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. *Cf.* 37 CFR 1.313(a). A Certificate will be issued in view of
 - (a) ☒ Patent owner's communication(s) filed: 08/04/22.
 - (b) ☐ Patent owner's failure to file an appropriate timely response to the Office action mailed: _____.
 - (c) ☐ Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
 - (d) ☐ The decision on appeal by the ☐ Board of Patent Appeals and Interferences ☐ Court dated _____
 - (e) ☐ Other: _____.
2. The Reexamination Certificate will indicate the following:
 - (a) Change in the Specification: ☐ Yes ☒ No
 - (b) Change in the Drawing(s): ☐ Yes ☒ No
 - (c) Status of the Claim(s):
 - (1) Patent claim(s) confirmed: 17-18 and 24.
 - (2) Patent claim(s) amended (including dependent on amended claim(s)): _____
 - (3) Patent claim(s) canceled: _____.
 - (4) Newly presented claim(s) patentable: _____.
 - (5) Newly presented canceled claims: _____.
 - (6) Patent claim(s) ☐ previously ☐ currently disclaimed: _____
 - (7) Patent claim(s) not subject to reexamination: 1-6, 19-23 and 25.
3. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
4. ☒ Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
5. ☐ Note attached NOTICE OF REFERENCES CITED (PTO-892).
6. ☒ Note attached LIST OF REFERENCES CITED (PTO/SB/08 or PTO/SB/08 substitute).
7. ☐ The drawing correction request filed on _____ is: ☐ approved ☐ disapproved.
8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the certified copies have
 - ☐ been received.
 - ☐ not been received.
 - ☐ been filed in Application No. _____.
 - ☐ been filed in reexamination Control No. _____.
 - ☐ been received by the International Bureau in PCT Application No. _____.

* Certified copies not received: _____.
9. ☐ Note attached Examiner's Amendment.
10. ☐ Note attached Interview Summary (PTO-474).
11. ☐ Other: _____.

All correspondence relating to this reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

/PENG KE/ Primary Examiner, Art Unit 3992	
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cc: Requester (if third party requester)

DETAILED ACTION

1. This Office action terminates the prosecution of ex parte reexamination of U.S. Patent No. 7,103,640 to Overton et al. (hereafter “the ‘640 patent”)
2. This office action address claims 17, 18, and 24 of U.S. Patent No. 7,103,640 to Overton et al. (the ‘640 patent”), which has been ordered in 12/23/2021.

Information Disclosure Statement

3. IDS filed on 7/13/22 and 9/13/22 have been considered.
4. Where the IDS citations are submitted but not described, the examiner is only responsible for cursorily reviewing the references. The initials of the examiner on the PTO-1449 indicate only that degree of review unless the reference is either applied against the claims, or discussed by the examiner as pertinent art of interest, in a subsequent office action.

See Guidelines for Reexamination of Cases in View of *In re Portola Packaging, Inc.*, 110 F.3d 786, 42 USPQ2d 1295 (Fed. Cir. 1997), 64 FR at 15347, 1223 Off. Gaz. Pat. Office at 125 (response to comment 6).

Consideration by the examiner of the information submitted in an IDS means that the examiner will consider the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search. The initials of the examiner placed adjacent to the citations on the PTO-1449 or PTO/SB/08A and 08B or its equivalent mean that the information has been considered by the examiner to the extent noted above.

Regarding IDS submissions MPEP 2256 recites the following: "Where patents, publications, and other such items of information are submitted by a party (patent owner or requester) in compliance with the requirements of the rules, the requisite degree of consideration

to be given to such information will be normally limited by the degree to which the party filing the information citation has explained the content and relevance of the information."

Accordingly, the IDS submissions have been considered by the Examiner only with the scope required by MPEP 2256, unless otherwise noted. The items which have been crossed out on the information disclosure statements have not been considered.

REFERENCES

5. Prior Art References cited:

- i. Oracle Names Administrator's Guide, Release 2.0 (Oracle Corp., Redwood City, CA), published 1996 ("OracleNamesAdminGuide") is new art that provides new, non-cumulative technological teaching that were not previously considered and discussed on the record during the prosecution of '640 Patent.
- ii. Joseph B. Greene, Oracle DBA Survival Guide, 1 st ed. (Sams Publishing, Indianapolis, Ind.), ISBN: 0672306816, published October 1, 1995 ("OracleSG") is new art that provides new, non-cumulative technological teaching that were not previously considered and discussed on the record during the prosecution of '640 Patent.
- iii. U.S. Patent No. 5,777,989 to JohnCGarvey, Filed December 19, 1995, issued July 7, 1998 ("McGarvey") is new art that provides new, non-cumulative technological teaching that were not previously considered and discussed on the record during the prosecution of '640 Patent.
- v. U.S. Patent No. 5,301,286 to Purshotam Rajani, filed January 2, 1991, issued April 5, 1994 ("Rajani") is new art that provides new, non-cumulative technological teaching that were not previously considered and discussed on the record during the prosecution of '640 Patent.

Statement of Reason for Patentability and/or Confirmation

6. Claims 17, 18, and 24 are confirmed.
7. The following is an Examiner statement of reasons for patentability and/or confirmation:
8. Based on applicant's remarks (p29-37, p 41-42) presented on 8/04/2022, The cited prior art fail to teach individually or in combination: "...transmitting a redirect message to the client if the identification string is not associated with a location string at the data location server..." and "... wherein the redirect message contains information for use by the client to calculate a location of a different data location server..." of Claim 17; and
9. "if the data location server does not contain the location string associated with the identification string, the location server transmits a redirect message to the client..." and "where in the redirect message contains redirect information for user by the client to calculate a location of a different data location server in the plurality of the data location server..." of claim 18.
10. Claim 24 which is dependent on claim 18, it is confirmed for the same reason as those stated for claim 18.
11. Specifically, the cited prior arts do not set a population threshold nor do they display message only with the home neighborhood and selections of the nearby neighborhoods.

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

All correspondence relating to this ex-parte reexamination proceeding should be directed as follows:

By U.S. Postal Service Mail to:

Mail Stop Ex Parte Reexam
ATTN: Central Reexamination Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX to:

(571) 273-9900
Central Reexamination Unit

By hand to:

Customer Service Window
Randolph Building
401 Dulany St.
Alexandria, VA 22314

By EFS-Web:

Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at

<https://efs.uspto.gov/efile/myportal/efs-registered>

EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are "soft scanned" (i.e., electronically uploaded) directly into the official file for the reexamination proceeding,

which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/PENG KE/
Primary Examiner, Art Unit 3992

/William H. Wood/
Primary Examiner, Art Unit 3992

/ALEXANDER J KOSOWSKI/
Supervisory Patent Examiner, Art Unit 3992