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APPLICATION FOR UNITED STATES LETTERS PATENT

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|------------|-------------------------------------------------------------------------------------------------------------------|
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| TITLE:     | VOICE OVER INTERNET<br>PROTOCOL CODEC ADJUSTMENT                                                                  |
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## **VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT**

### **TECHNICAL FIELD**

**[0001]** The present disclosure generally relates to voice over internet protocol ("VoIP") telephone systems.

### **BACKGROUND**

**[0002]** VoIP applications that utilize internal data networks are becoming more prevalent. Typically, VoIP is deployed across a broad network infrastructure including local area networks ("LAN") and wide area networks ("WAN") which serve to connect the LANs to each other. The quality and reliability of VoIP depends on the underlying network's capabilities and limitations. As more network traffic travels between LANs via the WAN, including VoIP telephone calls, the amount of available bandwidth for making additional VoIP telephone calls becomes limited.

**[0003]** When the available bandwidth of the WAN is reduced such that the bandwidth remaining is inadequate to transmit a VoIP telephone call, previous solutions would simply prevent any new VoIP telephone calls from being placed. Therefore, there exists a need for a system that can allow additional VoIP telephone calls to be placed when the available bandwidth of the WAN is reduced below a desired level.

### **BRIEF DESCRIPTION OF THE DRAWINGS**

**[0004]** Figure 1 is a block diagram of a first embodiment of VoIP telephone system embodying the principles of the present invention;

**[0005]** Figure 2 is a block diagram of a VoIP telephone embodying the principles of the present invention;

**[0006]** Figure 3 is a block diagram of a second embodiment of a VoIP telephone system having a second WAN connection;

**[0007]** Figure 4 is a block diagram of a third embodiment of a VoIP telephone system having a VoIP service provider;

**[0008]** Figure 5 is a block diagram of a fourth embodiment of a VoIP telephone system having a VoIP service provider and a secondary WAN; and

**[0009]** Figure 6 is a block diagram of a fifth embodiment of a VoIP telephone system having a VoIP service provider and two secondary WANs; and

**[0010]** Figure 7 is a block diagram of a general purpose computer.

#### DETAILED DESCRIPTION

**[0011]** In one embodiment, a system for changing the coder-decoder ("codec") of a VoIP telephone call includes a WAN and two LANs connected to the WAN. The LANs each individually include a router for connecting the LAN to the WAN, a switch connected to the router and a VoIP telephone connected to the switch. When connected thusly, the VoIP telephones can communicate to each other via the WAN.

**[0012]** The VoIP telephones are configured to communicate to each other via voice packets. Additionally, the VoIP telephones can detect the amount of dropped voice packets occurring between the VoIP telephones during a telephone call. When the number of dropped voice packets surpasses a certain amount, the VoIP telephones are configured to renegotiate the telephone call and utilize a lower bandwidth codec.

**[0013]** The first and/or second LANs may further include a call control gatekeeper connected to the router and configured to receive a call quality signal from the VoIP telephone of the same LAN. When the gatekeeper receives this call quality signal,

the gatekeeper will instruct the VoIP telephones to renegotiate the telephone call and utilized a lower bandwidth codec.

**[0014]** Alternatively, the WAN may have two lines of communication: a primary WAN and a backup WAN. If the primary WAN becomes inoperative, the backup WAN will provide the connection between the two LANs. In the event that the primary WAN becomes inoperative, the VoIP telephones will renegotiate the telephone call using a lower bandwidth codec. Alternatively, the call control gatekeeper may be configured to notify the VoIP telephones to renegotiate the telephone calls and renegotiate the telephone call and utilize a lower bandwidth codec when the primary WAN becomes inoperative.

**[0015]** In another embodiment of the system, the system includes a VoIP service provider system and two WANs connected to the VoIP service provider system. Connected to each WAN are separate LANs. Each LAN has a router connected to the WAN, a switch connected to the router and a VoIP telephone connected to the switch.

**[0016]** When one of the VoIP telephones detect a certain amount of voice packets being dropped, the VoIP telephones are configured to renegotiate the telephone call and utilize a lower bandwidth codec. Alternatively, the call control gatekeeper can be configured to receive a call quality control signal from the VoIP telephones. Once a call quality signal is received from the call control gatekeeper, the call control gatekeeper will instruct the VoIP telephones to renegotiate the telephone call and utilize a lower bandwidth codec.

**[0017]** Similar to the above, each of the WANs may be replaced with primary WAN and a backup WAN. Furthermore, the VoIP telephones and/or the call control

gatekeeper can be configured to detect when the primary WAN becomes inoperative. When the primary WAN becomes inoperative, the VoIP telephones will renegotiate the telephone call and utilize a lower bandwidth codec.

**[0018]** These and other aspects and advantages of the present invention will become apparent upon reading the following detailed description of the invention in combination with the accompanying drawings.

**[0019]** Referring to Figure 1, a VoIP telephone system 10 is shown. The VoIP telephone system 10 includes a first LAN 12 and a second LAN 14. The first and second LANs 12 and 14 communicate to each other via a WAN 16.

**[0020]** The first LAN 12 and second LAN 14 may be substantially similar or may be of different configurations. The first and second LANs 12 and 14 each include routers 18 and 20. The routers 18 and 20 function to connect the LANs 12 and 14 to the WAN 16. Connected to the routers 18 and 20 are switches 22 and 24, respectively. The switches 22 and 24 function to connect a variety of network devices such as VoIP telephones 26 and 28 as well as computers and printers to the routers 18 and 22 and eventually the WAN 16.

**[0021]** Additionally, gateway devices 30 and 32 may be connected to routers 18 and 20 respectively. The gateway devices 30 and 32 function to provide access to a public switched telephone network ("PSTN"). This allows the VoIP telephones 26 and 28 access to the traditional telephone network, thereby providing the ability to access 911 services and make local telephone calls.

**[0022]** Connected to the routers 18 and 20 are call control gatekeepers 34 and 36. The call control gatekeepers function to direct incoming voice packets to the proper VoIP telephone. Additionally, as will be explained later, the call control gatekeepers

34 and 36 may function to provide assistance in the adjusting the codec used during a VoIP telephone call between the VoIP telephones 26 and 28.

**[0023]** When making a VoIP telephone call between VoIP telephones 26 and 28, a codec will be utilized to convert the voice of the caller to a digital signal. There are many different codecs available for converting the voice of the caller to a digital signal. For example, the table below shows a variety of commonly used different codecs and their sampling bit rates.

| CODEC   | BIT RATE |
|---------|----------|
| G.711   | 64 kbps  |
| G.729   | 8 kbps   |
| G.723.1 | 6.3 kbps |
| G.723.1 | 5.3 kbps |
| G.726   | 32 kbps  |
| G.726   | 24 kbps  |
| G.728   | 16 kbps  |

**[0024]** As shown in the table above, using codec G.711 samples the analog voice of the caller at 64 kbps while codec G.729 samples at 8 kbps per second. By sampling at a higher rate, the quality of the voice heard by the listener of VoIP telephone will be superior. However, using a codec with a higher sampling rate requires a greater bandwidth to effectively transmit calls between VoIP telephones.

**[0025]** The VoIP telephones 26 and 28 are configured to communicate to each other via voice packets. Typically, these voice packets are sampled using a higher quality codec such as G.711. However, the VoIP telephones 26 and 28 are configured to determine the call quality. A determination indicating low call quality indicates that the available bandwidth is limited. When one of the VoIP telephones 26 and 28 determine that the call quality is low, the VoIP telephone detecting the dropped packets will signal to the other VoIP telephone to renegotiate the

connection between the VoIP telephones. During this renegotiation of the VoIP telephones, the VoIP telephones 26 and 28 will select a codec using a lower sampling rate such as G.729. By utilizing a lower bandwidth codec, the amount of available bandwidth increases. By increasing the available bandwidth, more data, including additional VoIP telephone calls can be transmitted.

**[0026]** There are several ways to determine call quality. One way that may be utilized is to measure the number of dropped voice packets over a given time period. Once this measurement surpasses a certain threshold, the VoIP telephones 26 and 28 will determine that the call quality is low. Another way to measure call quality is by measuring the amount of time a voice packet takes to travel from one destination to another (latency). If the amount of time surpasses a certain threshold, the VoIP telephones 26 and 28 will determine that the call quality is low. Another way to measure call quality is to measure variations in one or more signal characteristics (jitter), such as the interval between successive pulses, the amplitude of successive cycles or the frequency or phase of successive cycles. These three ways of determining call may be used separately or in any combination. Further, other ways of determining call quality may be utilized.

**[0027]** Alternatively, the gatekeepers 34 and 36 may be configured to receive a call quality signal from their respective VoIP telephone 26 and 28. When one of the call control gatekeepers 34 and 36 receive a call quality signal indicating that voice packets are being dropped, the call control gatekeeper 34 or 36 will instruct the VoIP telephone 26 and 28 to renegotiate with the other VoIP telephone 26 or 28 to renegotiate the telephone call and select a codec with a lower sampling rate.

**[0028]** Referring to Figures 1 and 2, a detailed block diagram of the VoIP telephone 26 is shown. The VoIP telephone 26 includes an interface 38 for connecting to the switch 24. Located within the VoIP telephone 26 is a processor 40 which is connected to the interface 38. Connected to the processor 40 is a memory unit 41 having a plurality of codec algorithms located within. Also connected to the processor 40 is communication logic 42, a call quality connection logic 44 and a codec adjustment logic 46. The logics 42, 44 and 46 may be programmed using any number of programming languages such as C++. When in operation, the processor 40 will communicate with the second VoIP telephone 28 (as best shown in Figure 1) using a first codec. The codec used during the telephone call is stored in the memory unit 41. The processor may be a TMS3201 of Texas Instruments Incorporated of Dallas, Texas.

**[0029]** The communication logic 42 is executable by the processor 40 and configures the processor to communicate with the second VoIP telephone 28 using one of the codec's stored in the memory unit 41. The call quality detection logic 44 is configured to be executed by the processor 40 and configures the processor to detect the call quality between the processor and the second VoIP telephone using the previously described call quality methods. The codec adjustment logic 46 is also executable by the processor 40. The codec adjustment logic 46 configures the processor to communicate with the second VoIP telephone using a second codec which is also stored in the memory unit 41. The codec adjustment logic configures the processor to change codecs based on the detected call quality.

**[0030]** Referring to Figure 3, a second embodiment of the VoIP telephone system 10 is shown. Similar reference numerals are used to indicate similar elements. In

this embodiment, the WAN 16 of Figure 1 has been replaced with a primary WAN 17 and a backup WAN 19. Similar to the WAN 16 of Figure 1, the primary WAN 17 functions to provide communications between the first LAN 12 and the second LAN 14. The backup WAN 19 functions to provide a backup line of communication between the first LAN 12 and the second LAN 14. Preferably, the second WAN 19 has a bandwidth less than the primary WAN 17. If the primary WAN 17 becomes inoperable, the backup WAN 19 will be utilized to provide a limited bandwidth communication line between the LANs 12 and 14.

**[0031]** The VoIP telephones 26 and 28 are configured to detect if the primary WAN 17 becomes inoperative. In the event that the primary WAN 17 becomes inoperative, the VoIP telephone 26 and 28 will renegotiate and use a lower bandwidth codec.

**[0032]** Alternatively, the call control gatekeepers 34 and 36 can be configured to detect when the primary WAN 17 becomes inoperative. In the event that the primary WAN 17 becomes inoperative, one of the call control gatekeepers 34 and 36 can indicate to their VoIP telephone 26 and 28 that the primary WAN is inoperative. Once the VoIP telephones 26 and 28 have been informed that the primary WAN 17 is inoperative, the VoIP telephones 26 and 28 will negotiate the telephone call using a lower bandwidth codec.

**[0033]** Referring to Figure 4, a third embodiment of the VoIP telephone system 10 is shown. Similar to Figure 1, the VoIP telephone system 10 includes a first LAN 12 and a second LAN 14. However, the first and second LANs 12 and 14 are connected to a first and second WANs 48 and 50, respectively. The first and second WANs 48 and 50 are connected to a VoIP service provider system 51 via one or

more interfaces (not shown). The VoIP telephones 26 and 28 will communicate to each other via the VoIP service provider system 52 through the first WAN 58 and the second WAN 50.

**[0034]** The VoIP service provider system includes a VoIP service provider subsystem 42. A call control gatekeeper 54 is connected to the VoIP service provider subsystem 52. The call control gatekeeper 54 functions to correctly instruct the service provider subsystem 42 to direct VoIP telephone calls to the intended VoIP telephone.

**[0035]** The VoIP telephones 26 and 28 are configured to detect when voice packets are dropped during a VoIP telephone call. When voice packets are dropped, the VoIP telephones 26 and 28 will negotiate the VoIP telephone calls and change to a lower band with codec.

**[0036]** Alternatively, the call control gatekeeper 54 may be configured to receive a signal from either the VoIP telephones 26 and 28 indicating that voice packets are being dropped. When the call control gatekeeper 54 receives this signal, the call control gatekeeper 54 will instruct the VoIP telephones 26 and 28 to renegotiate the VoIP telephone calls and utilize a lower bandwidth codec.

**[0037]** Referring to Figure 5, a fourth embodiment of the VoIP telephone system 10 is shown. In this embodiment, the first WAN 48 of Figure 3 has been replaced by a primary WAN 56 and a backup WAN 58. Like the first WAN 38 of Figure 3, the primary and backup WANs 56 and 58 function to connect the first LAN to the VoIP service provider system 52. The primary WAN 56 has a greater bandwidth than the backup WAN 58. When the primary WAN 56 is inoperative, the backup WAN 58 will

serve to transmit data between the first WAN 48 and the VoIP service provider system 52.

**[0038]** The VoIP telephone 26 is configured to detect when the primary WAN 56 is inoperative. Alternatively, the VoIP telephone may be configured to receive a signal indicating that the primary WAN 56 is inoperative. When the primary WAN 56 is inoperative, the VoIP telephone 26 will renegotiate the VoIP telephone call with the VoIP telephone 28 and utilize a lower bandwidth codec.

**[0039]** Referring to Figure 6, a fifth embodiment of the VoIP telephone system 10 is shown. In this embodiment the second WAN 30 of Figure 4 has been replaced by a second primary WAN 60 and a second backup WAN 62. The second backup WAN 62 and the second primary WAN 60 function to connect the second local area network 14 to the VoIP service provider 52. In the event the second primary WAN 50 is inoperative, the second backup WAN 62 will provide a connection path between the second LAN 14 and the VoIP service provider 52.

**[0040]** The VoIP telephone 28 is configured to detect when the second primary WAN 60 becomes inoperative. In the event that the secondary primary WAN 60 becomes inoperative, the VoIP telephone 28 will renegotiate the VoIP telephone call with the VoIP telephone 26 and utilize a lower bandwidth codec.

**[0041]** Alternatively, the call control gatekeeper 54 may be configured to detect when the second primary WAN 60 becomes inoperative. When the second primary WAN 60 becomes inoperative, the call control gatekeeper 54 will signal the VoIP telephones 26 and 28 to renegotiate the VoIP telephone call and utilize a lower bandwidth codec.

**[0042]** Referring to Figure 7, an illustrative embodiment of a general computer system is shown and is designated 64. The computer system 64 can include a set of instructions that can be executed to cause the computer system 64 to perform any one or more of the methods or computer based functions disclosed herein. The computer system 64 may operate as a standalone device or may be connected, e.g., using a network, to other computer systems or peripheral devices.

**[0043]** In a networked deployment, the computer system may operate in the capacity of a server or as a client user computer in a server-client user network environment, or as a peer computer system in a peer-to-peer (or distributed) network environment. The computer system 64 can also be implemented as or incorporated into various devices, such as a personal computer (PC), a tablet PC, a set-top box (STB), a personal digital assistant (PDA), a mobile device, a palmtop computer, a laptop computer, a desktop computer, a communications device, a wireless telephone, a land-line telephone, a control system, a camera, a scanner, a facsimile machine, a printer, a pager, a personal trusted device, a web appliance, a network router, switch or bridge, or any other machine capable of executing a set of instructions (sequential or otherwise) that specify actions to be taken by that machine. In a particular embodiment, the computer system 64 can be implemented using electronic devices that provide voice, video or data communication. Further, while a single computer system 64 is illustrated, the term "system" shall also be taken to include any collection of systems or sub-systems that individually or jointly execute a set, or multiple sets, of instructions to perform one or more computer functions.

**[0044]** As illustrated in Figure 7, the computer system 64 may include a processor 66, e.g., a central processing unit (CPU), a graphics processing unit (GPU), or both. Moreover, the computer system 64 can include a main memory 68 and a static memory 70 that can communicate with each other via a bus 72. As shown, the computer system 64 may further include a video display unit 74, such as a liquid crystal display (LCD), an organic light emitting diode (OLED), a flat panel display, a solid state display, or a cathode ray tube (CRT). Additionally, the computer system 64 may include an input device 76, such as a keyboard, and a cursor control device 78, such as a mouse. The computer system 64 can also include a disk drive unit 80, a signal generation device 82 such as a speaker or remote control, and a network interface device 84.

**[0045]** In a particular embodiment, as depicted in Figure 7, the disk drive unit 80 may include a computer-readable medium 86 in which one or more sets of instructions 88, e.g. software, can be embedded. Further, the instructions 88 may embody one or more of the methods or logic as described herein. In a particular embodiment, the instructions 88 may reside completely, or at least partially, within the main memory 68, the static memory 70, and/or within the processor 66 during execution by the computer system 64. The main memory 68 and the processor 66 also may include computer-readable media.

**[0046]** In an alternative embodiment, dedicated hardware implementations, such as application specific integrated circuits, programmable logic arrays and other hardware devices, can be constructed to implement one or more of the methods described herein. Applications that may include the apparatus and systems of various embodiments can broadly include a variety of electronic and computer

systems. One or more embodiments described herein may implement functions using two or more specific interconnected hardware modules or devices with related control and data signals that can be communicated between and through the modules, or as portions of an application-specific integrated circuit. Accordingly, the present system encompasses software, firmware, and hardware implementations.

**[0047]** In accordance with various embodiments of the present disclosure, the methods described herein may be implemented by software programs executable by a computer system. Further, in an exemplary, non-limited embodiment, implementations can include distributed processing, component/object distributed processing, and parallel processing. Alternatively, virtual computer system processing can be constructed to implement one or more of the methods or functionality as described herein.

**[0048]** The present disclosure contemplates a computer-readable medium that includes instructions 88 or receives and executes instructions 88 responsive to a propagated signal, so that a device connected to a network 90 can communicate voice, video or data over the network 90. Further, the instructions 88 may be transmitted or received over the network 90 via the network interface device 84.

**[0049]** While the computer-readable medium is shown to be a single medium, the term "computer-readable medium" includes a single medium or multiple media, such as a centralized or distributed database, and/or associated caches and servers that store one or more sets of instructions. The term "computer-readable medium" shall also include any medium that is capable of storing, encoding or carrying a set of instructions for execution by a processor or that cause a computer system to perform any one or more of the methods or operations disclosed herein.

**[0050]** In a particular non-limiting, exemplary embodiment, the computer-readable medium can include a solid-state memory such as a memory card or other package that houses one or more non-volatile read-only memories. Further, the computer-readable medium can be a random access memory or other volatile re-writable memory. Additionally, the computer-readable medium can include a magneto-optical or optical medium, such as a disk or tapes or other storage device to capture carrier wave signals such as a signal communicated over a transmission medium. A digital file attachment to an e-mail or other self-contained information archive or set of archives may be considered a distribution medium that is equivalent to a tangible storage medium. Accordingly, the disclosure is considered to include any one or more of a computer-readable medium or a distribution medium and other equivalents and successor media, in which data or instructions may be stored.

**[0051]** Although the present specification describes components and functions that may be implemented in particular embodiments with reference to particular standards and protocols, the invention is not limited to such standards and protocols. For example, standards for Internet and other packet switched network transmission (e.g., TCP/IP, UDP/IP, HTML, HTTP) represent examples of the state of the art. Such standards are periodically superseded by faster or more efficient equivalents having essentially the same functions. Accordingly, replacement standards and protocols having the same or similar functions as those disclosed herein are considered equivalents thereof.

**[0052]** The illustrations of the embodiments described herein are intended to provide a general understanding of the structure of the various embodiments. The illustrations are not intended to serve as a complete description of all of the elements

and features of apparatus and systems that utilize the structures or methods described herein. Many other embodiments may be apparent to those of skill in the art upon reviewing the disclosure. Other embodiments may be utilized and derived from the disclosure, such that structural and logical substitutions and changes may be made without departing from the scope of the disclosure. Additionally, the illustrations are merely representational and may not be drawn to scale. Certain proportions within the illustrations may be exaggerated, while other proportions may be minimized. Accordingly, the disclosure and the figures are to be regarded as illustrative rather than restrictive.

**[0053]** One or more embodiments of the disclosure may be referred to herein, individually and/or collectively, by the term “invention” merely for convenience and without intending to voluntarily limit the scope of this application to any particular invention or inventive concept. Moreover, although specific embodiments have been illustrated and described herein, it should be appreciated that any subsequent arrangement designed to achieve the same or similar purpose may be substituted for the specific embodiments shown. This disclosure is intended to cover any and all subsequent adaptations or variations of various embodiments. Combinations of the above embodiments, and other embodiments not specifically described herein, will be apparent to those of skill in the art upon reviewing the description.

**[0054]** The Abstract of the Disclosure is provided to comply with 37 C.F.R. §1.72(b) and is submitted with the understanding that it will not be used to interpret or limit the scope or meaning of the claims. In addition, in the foregoing Detailed Description, various features may be grouped together or described in a single embodiment for the purpose of streamlining the disclosure. This disclosure is not to

be interpreted as reflecting an intention that the claimed embodiments require more features than are expressly recited in each claim. Rather, as the following claims reflect, inventive subject matter may be directed to less than all of the features of any of the disclosed embodiments. Thus, the following claims are incorporated into the Detailed Description, with each claim standing on its own as defining separately claimed subject matter.

**[0055]** The above disclosed subject matter is to be considered illustrative, and not restrictive, and the appended claims are intended to cover all such modifications, enhancements, and other embodiments, which fall within the true spirit and scope of the present invention. Thus, to the maximum extent allowed by law, the scope of the present invention is to be determined by the broadest permissible interpretation of the following claims and their equivalents, and shall not be restricted or limited by the foregoing detailed description.

## CLAIMS

1. A system comprising:

a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface capable of connecting to a first LAN having an interface to a first VoIP telephone;

the second interface capable of connecting to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec; and

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec.

2. The system of claim 1, wherein the adjustment signal based on the call quality signal is sent to the first and second VoIP telephones during a telephone call between the first and second VoIP telephones.

3. The system of claim 1, wherein the call quality signal is based upon a number of dropped voice packets during a VoIP telephone call.

4. The system of claim 1, further comprising:
  - a primary WAN and a secondary WAN connection between the first LAN and the VoIP service provider system for connecting the first LAN to the VoIP service provider system, the secondary WAN provides a backup connection when the primary WAN is inoperative.
5. The system of claim 4, wherein a bandwidth of the secondary WAN is less than a bandwidth of the primary WAN.
6. The system of claim 4, wherein the call control gatekeeper is configured to detect and send an adjustment signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call when the primary WAN is inoperative.
7. The system of claim 1, further comprising:
  - a public switched telephone network;
  - a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.
8. A system for changing a codec of a VoIP telephone call, the system comprising:
  - a primary WAN;
  - a first LAN in communication with the primary WAN;
  - a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs; and

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other via voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call.

9. The system of claim 8, wherein the quality of the VoIP telephone call is measured by a number of dropped voice packets.

10. The system of claim 8, wherein the first LAN further comprises a call control gatekeeper in communication with the router configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

11. The system of claim 8, further comprising:

a secondary WAN in communication with the routers of the first and second LANs for transferring the voice packets between the VoIP telephones when the primary WAN is inoperative;

the VoIP telephones being configured to detect when the primary WAN is inoperative and change the codec of the VoIP call when the primary WAN is inoperative.

12. The system of claim 8, wherein the bandwidth of the primary WAN is greater than the bandwidth of the primary WAN.

13. The system of claim 11, wherein the first LAN further comprises a call control gatekeeper configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

14. The system of claim 8, further comprising:

- a public switched telephone network;

- a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.

15. A VoIP telephone having an adjustable codec responsive to network conditions, the VoIP telephone comprising:

- a processor;

- a memory unit in communication with the processor having a plurality of codecs;

first logic executable by the processor to communicate to a second VoIP telephone using a first of the plurality of codecs;

second logic executable by the processor for configuring the processor to detect call quality of call to the second VoIP telephone; and

third logic executable by the processor for configuring the processor to communicate with the second VoIP telephone using a second of the plurality of codecs based on the detected call quality.

16. The telephone of claim 15, wherein the first codec has a greater bandwidth than the second codec.

17. The telephone of claim 15, wherein the first codec is G.711 and the second codec is G.729.

18. The telephone of claim 15, wherein the call quality is based on the number of dropped voice packets.

### ABSTRACT

A system for changing the coder-decoder utilized during a voice over Internet protocol telephone call is disclosed. The system includes two local area networks connected to each other via a wide area network. Each local area network includes a router connected to the wide area network, a switch connected to the router and a voice over Internet protocol telephone connected to the switch. The voice over Internet protocol telephones are configured to detect when voice packets are being dropped and utilize a lower bandwidth coder-decoder.

1/4

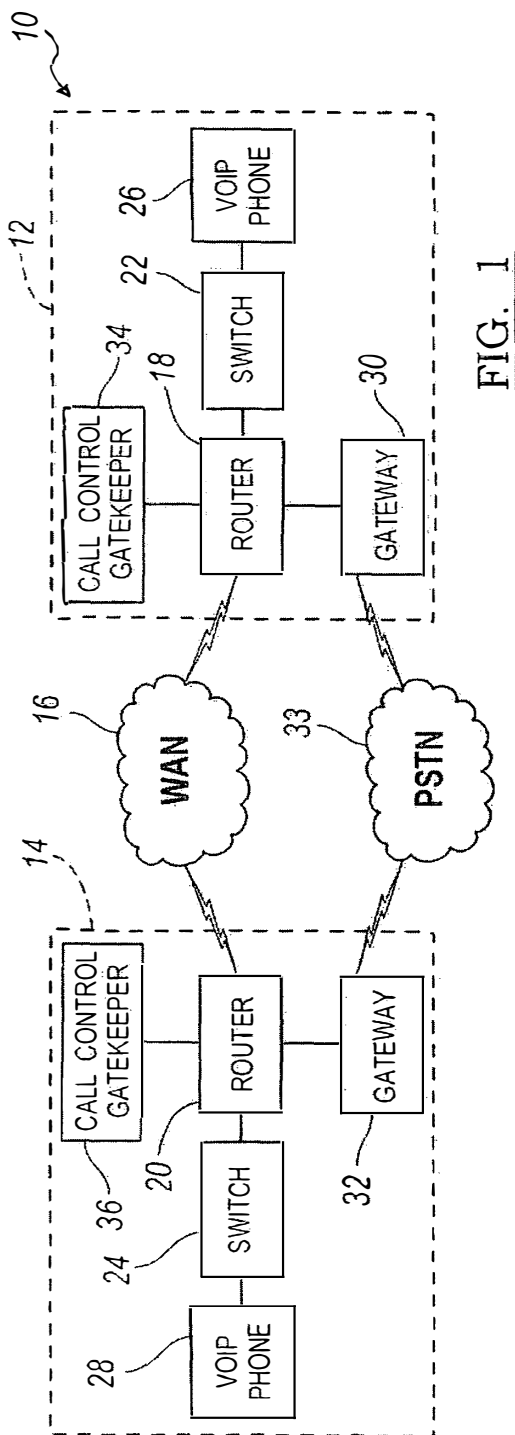


FIG. 1

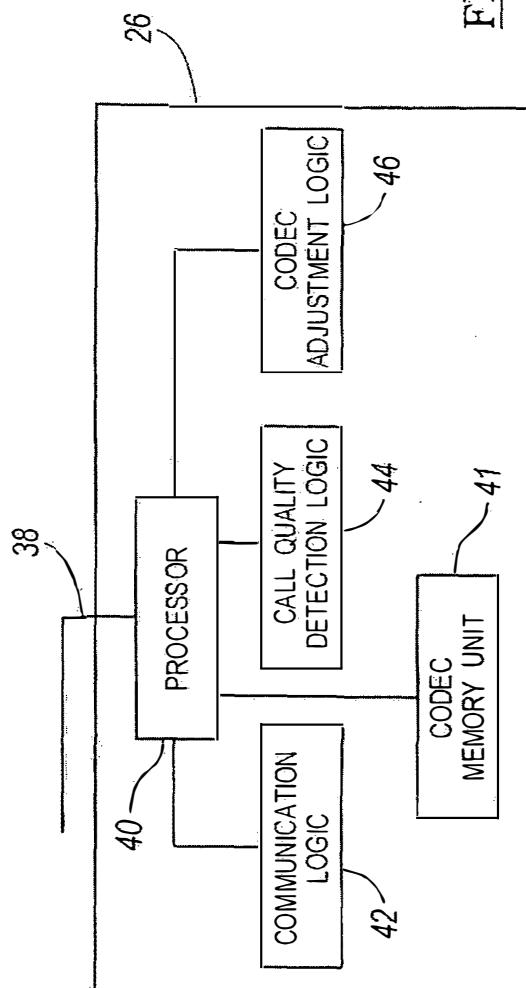


FIG. 2

2/4

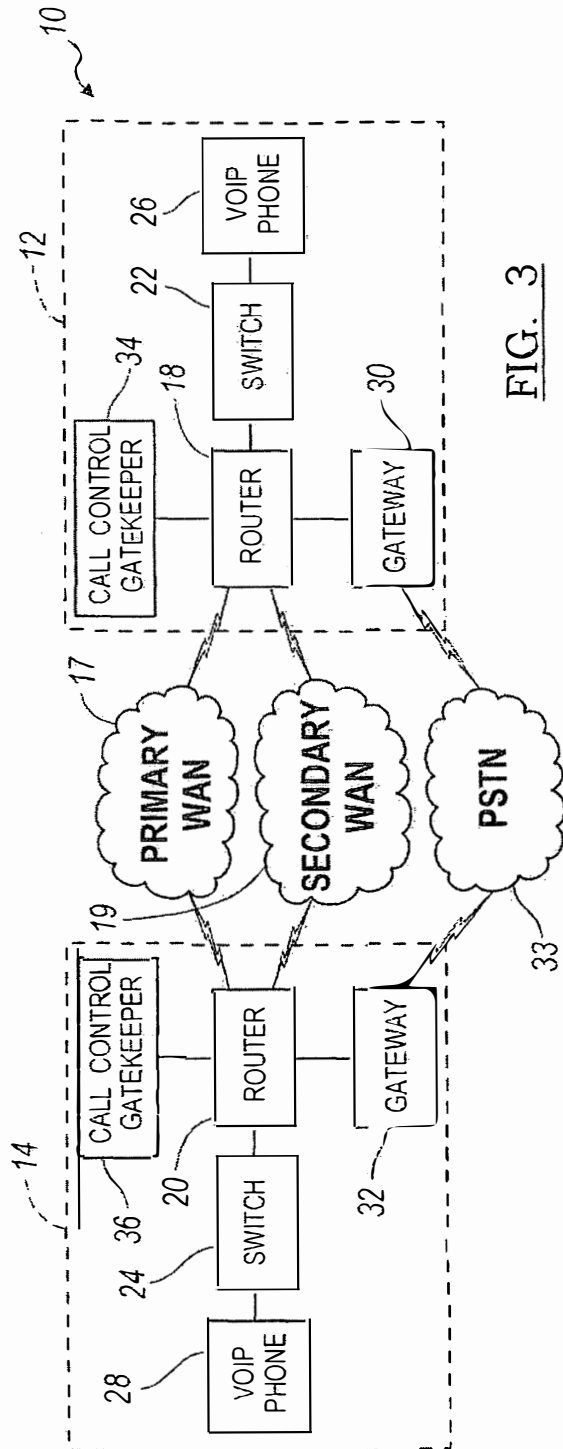


FIG. 3

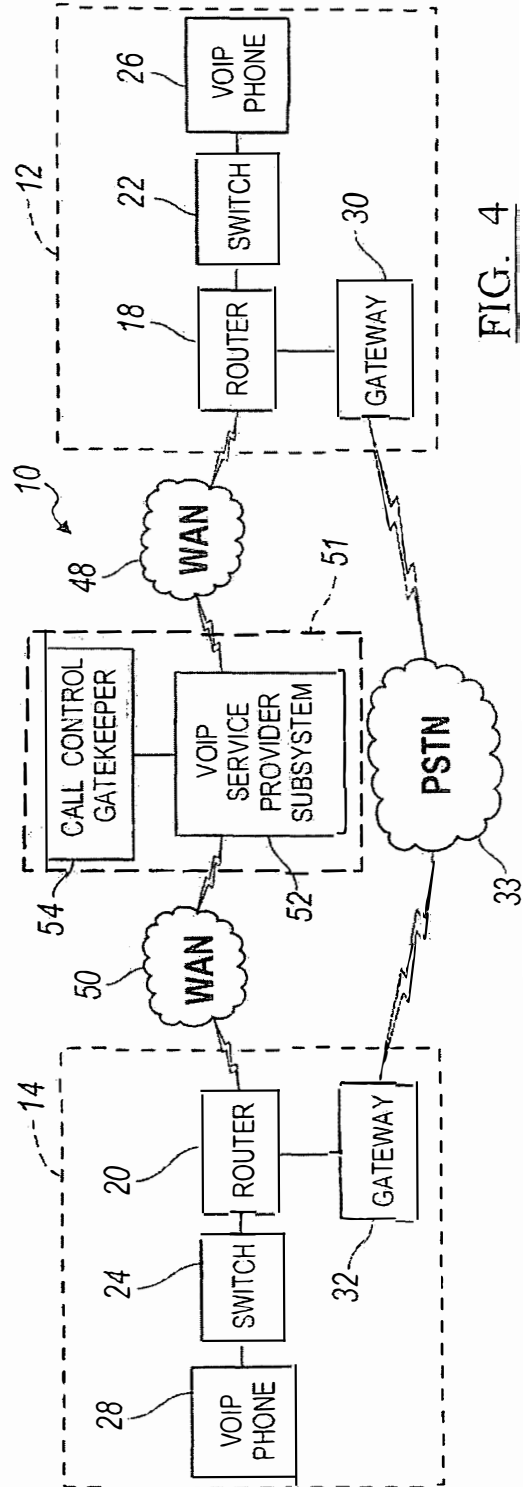
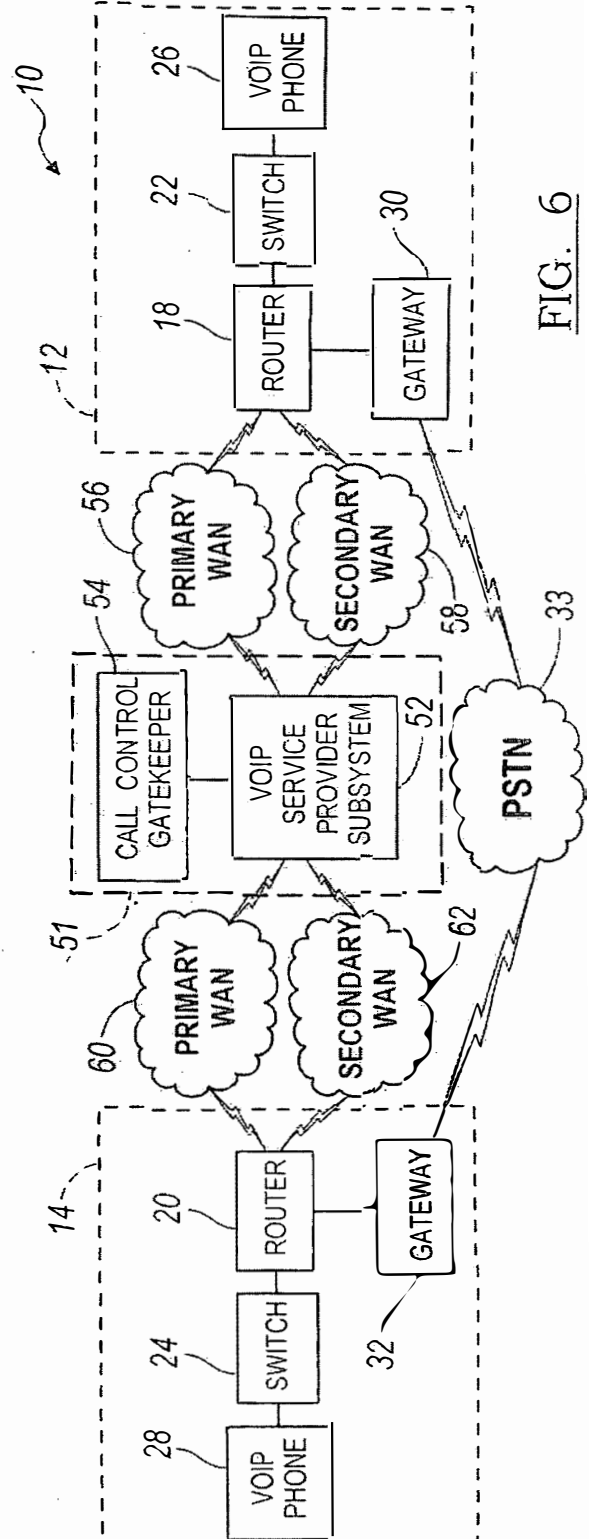
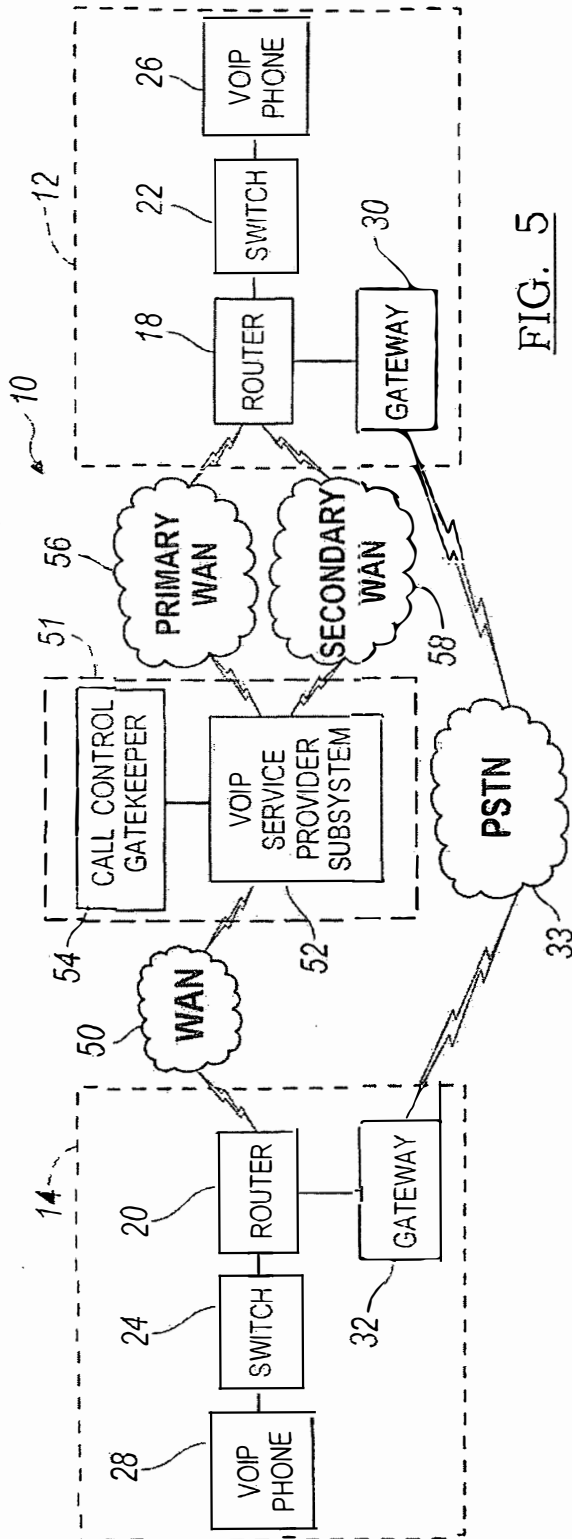


FIG. 4

3/4



4/4

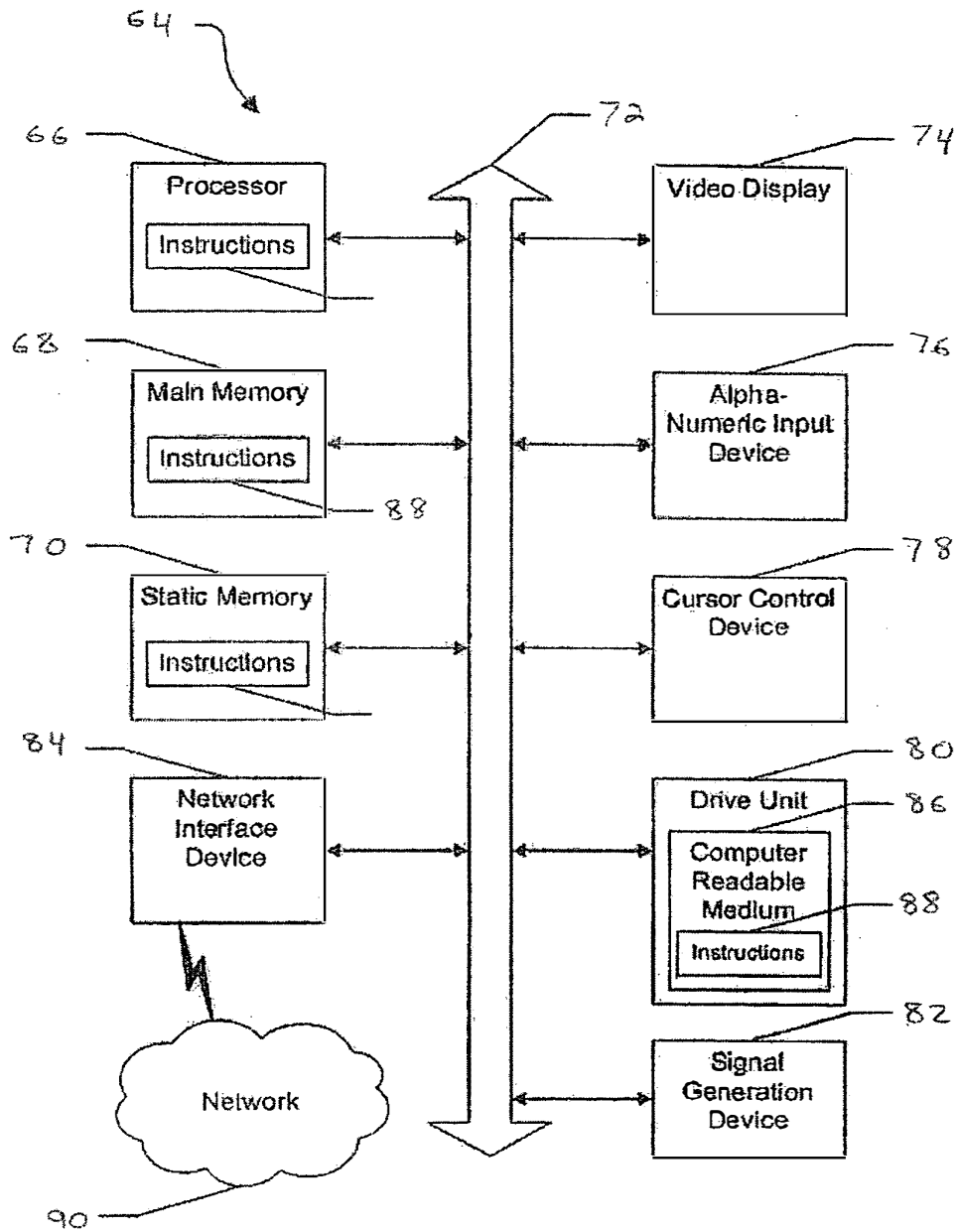


FIG. 7

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Inventor: Application of: Edward Walter et al.

Title: VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT

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## UTILITY PATENT APPLICATION TRANSMITTAL

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Alexandria, VA 22313-1450

Transmitted herewith is a new application under 37 C.F.R. §1.53(b), including the following elements and other papers:

1. Application including: ☐ Application Data Sheet. See 37 CFR § 1.76.  
☒ Title page  
☒ Specification, including claims and Abstract (22 pages)  
☒ Drawings (4 sheet(s))  
☐ Appendices:  
☐ Declaration (\_\_\_\_ pages; ☐ Executed ☐ Unexecuted)  
☐ Combined Declaration and Power of Attorney (\_\_\_\_ pages; ☐ Executed ☐ Unexecuted)
2. ☐ Information Disclosure Statement, including Form PTO-1449 (\_\_\_\_ sheets), and any required copies
3. ☐ Assignment Recordation Cover Sheet, with fee and attached assignment to: \_\_\_\_\_
4. ☐ Power of Attorney (\_\_\_\_ pages; ☐ by inventor ☐ by Assignee identified in item #3 above)
5. ☐ Nonpublication Request under 35 USC §122(b)(2)(B)(i)
6. ☐ Other: \_\_\_\_\_
7. ☒ Return Postcard
8. Fee calculation:  
☐ Applicant is a Small Entity.

| Claims as Filed                                                                                                            | Col. 1    | Col. 2    | Small Entity |        |    | Not a Small Entity |     |  |
|----------------------------------------------------------------------------------------------------------------------------|-----------|-----------|--------------|--------|----|--------------------|-----|--|
| For                                                                                                                        | No. Filed | No. Extra | Rate         | Fee    | or | Rate               | Fee |  |
| Basic Fee                                                                                                                  |           |           |              | \$ 150 | or |                    | \$  |  |
| Total Claims                                                                                                               | 18-20     | 0         | x\$25=       | \$     | or | x\$50=             | \$  |  |
| Independent Claims                                                                                                         | 3-3       | 0         | x\$100=      | \$     | or | x\$200=            | \$  |  |
| Multiple Dependent Claims Present                                                                                          |           |           | + \$180=     | \$     | or | + \$360=           | \$  |  |
| Utility Application Size Fee (for each additional 50 sheets that exceeds 100 sheets, including specification and drawings) |           |           | x\$125=      | \$     | or | X\$250=            | \$  |  |
| Search Fee                                                                                                                 |           |           | + \$250=     | \$     | or | + \$500=           | \$  |  |
| Examination Fee                                                                                                            |           |           | + \$100=     | \$     | or | + \$200=           | \$  |  |
| *If the difference in col. 1 is less than zero, enter "0" in col. 2.                                                       |           |           | Total        | \$     | or | Total              | \$  |  |

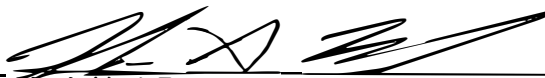
9. Fee payment:  
☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.  
☐ Please charge my Deposit Account No. 23-1925 in the amount of \$ \_\_\_\_\_. A copy of this Transmittal is enclosed.  
☐ The Director is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 23-1925:  
☐ Any additional filing fees required under 37 CFR § 1.16.  
☐ Any patent application processing fees under 37 CFR § 1.17.
10. CORRESPONDENCE ADDRESS: please recognize the correspondence address for this application as the address associated with the following Customer Number:

**Customer No. 00757 - Brinks Hofer Gilson Lione**

11. PLEASE DIRECT all telephonic communications to:

John A. Lingl, Esq. (tel: 734-302-6000).

Respectfully submitted,

  
John A. Lingl, Esq. (Reg.No. 57,414)

November 10, 2005  
Date

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

**11271489****APPLICATION AS FILED – PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OTHER THAN  
SMALL ENTITY

| FOR                                                                       | NUMBER FILED                                                                                                                                                                                                         | NUMBER EXTRA | RATE (\$) | FEE (\$) |    | RATE (\$) | FEE (\$)    |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------|----------|----|-----------|-------------|
| BASIC FEE<br>(37 CFR 1.16(a), (b), or (c))                                |                                                                                                                                                                                                                      |              |           |          |    |           | <b>300</b>  |
| SEARCH FEE<br>(37 CFR 1.16(k), (i), or (m))                               |                                                                                                                                                                                                                      |              |           |          |    |           | <b>500</b>  |
| EXAMINATION FEE<br>(37 CFR 1.16(o), (p), or (q))                          |                                                                                                                                                                                                                      |              |           |          |    |           | <b>200</b>  |
| TOTAL CLAIMS<br>(37 CFR 1.16(i))                                          | <b>18</b>                                                                                                                                                                                                            | minus 20 =   | X\$25=    |          | OR | X\$50     |             |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(h))                                    | <b>3</b>                                                                                                                                                                                                             | minus 3 =    | X\$100=   |          |    | X\$200=   |             |
| APPLICATION SIZE FEE<br>(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 |              |           |          |    |           |             |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))                         |                                                                                                                                                                                                                      |              | N/A       |          |    | N/A       |             |
| * If the difference in column 1 is less than zero, enter "0" in column 2. |                                                                                                                                                                                                                      |              | TOTAL     |          |    | TOTAL     | <b>1000</b> |

**APPLICATION AS AMENDED – PART II**

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OTHER THAN  
SMALL ENTITY

| AMENDMENT A                                                     |                           | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE (\$) | ADDITIONAL FEE (\$) |    | RATE (\$) | ADDITIONAL FEE (\$) |
|-----------------------------------------------------------------|---------------------------|----------------------------------|-------|------------------------------------|---------------|-----------|---------------------|----|-----------|---------------------|
|                                                                 | Total<br>(37 CFR 1.16(i)) | *                                | Minus | **                                 | =             | X         | =                   |    | OR        | X                   |
| Independent<br>(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)) |                           |                                  |       |                                    |               | N/A       |                     | OR | N/A       |                     |
|                                                                 |                           |                                  |       |                                    |               | TOTAL     |                     | OR | TOTAL     |                     |
|                                                                 |                           |                                  |       |                                    |               | ADD'T FEE |                     | OR | ADD'T FEE |                     |

| AMENDMENT B                                                     |                           | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE (\$) | ADDITIONAL FEE (\$) |    | RATE (\$) | ADDITIONAL FEE (\$) |
|-----------------------------------------------------------------|---------------------------|----------------------------------|-------|------------------------------------|---------------|-----------|---------------------|----|-----------|---------------------|
|                                                                 | Total<br>(37 CFR 1.16(i)) | *                                | Minus | **                                 | =             | X         | =                   |    | OR        | X                   |
| Independent<br>(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)) |                           |                                  |       |                                    |               | N/A       |                     | OR | N/A       |                     |
|                                                                 |                           |                                  |       |                                    |               | TOTAL     |                     | OR | TOTAL     |                     |
|                                                                 |                           |                                  |       |                                    |               | ADD'T FEE |                     | OR | 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.**

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



## UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 11/271,489         | 11/10/2005             | Edward Walter         | 8285-772               |

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610

**CONFIRMATION NO. 8585**  
**FORMALITIES**  
**LETTER**

Date Mailed: 12/14/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1130** for a Large Entity

- **\$300** Statutory basic filing fee.
- **\$130** Surcharge.

- The application search fee has not been paid. Applicant must submit **\$500** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a large entity

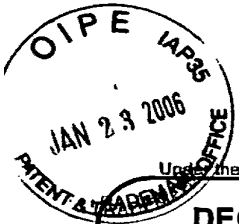
Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

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



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 3 - OFFICE COPY



PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

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

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

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐

Declaration  
Submitted  
With Initial  
Filing

OR

☐

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

|                        |                   |
|------------------------|-------------------|
| Attorney Docket Number | 8285-772          |
| First Named Inventor   | Edward Walter     |
| COMPLETE IF KNOWN      |                   |
| Application Number     | 11/271,489        |
| Filing Date            | November 10, 2005 |
| Art Unit               | 2661              |
| Examiner Name          |                   |

## I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT

(Title of the Invention)

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

November 10, 2005

as United States Application Number or PCT International

Application Number

11/271,489

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

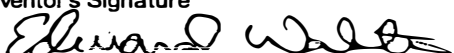
PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

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

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

**DECLARATION — Utility or Design Patent Application**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                                                                               |                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------|--------------------|
| Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; padding: 2px 20px;">00757</span>                                                                                                                                                                                                                                                                                     |                | OR <input type="checkbox"/> Correspondence address below                      |                    |
| Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |                                                                               |                    |
| Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                                                                               |                    |
| City                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                | State                                                                         | ZIP                |
| Country                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Telephone      |                                                                               | Fax                |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. |                |                                                                               |                    |
| NAME OF SOLE OR FIRST INVENTOR:                                                                                                                                                                                                                                                                                                                                                                                                                                           |                | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                    |
| Given Name (first and middle [if any])<br>Edward                                                                                                                                                                                                                                                                                                                                                                                                                          |                | Family Name or Surname<br>Walter                                              |                    |
| Inventor's Signature<br>                                                                                                                                                                                                                                                                                                                                                               |                | Date<br>01/06/2006                                                            |                    |
| Residence: City<br>Boerne                                                                                                                                                                                                                                                                                                                                                                                                                                                 | State<br>Texas | Country<br>USA                                                                | Citizenship<br>USA |
| Mailing Address<br>123 Timber Mountain                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |                                                                               |                    |
| City<br>Boerne                                                                                                                                                                                                                                                                                                                                                                                                                                                            | State<br>Texas | Zip<br>78006                                                                  | Country<br>USA     |
| NAME OF SECOND INVENTOR:                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                    |
| Given Name (first and middle [if any])<br>Matthew                                                                                                                                                                                                                                                                                                                                                                                                                         |                | Family Name or Surname<br>Bruening                                            |                    |
| Inventor's Signature<br>                                                                                                                                                                                                                                                                                                                                                               |                | Date<br>1/6/06                                                                |                    |
| Residence: City<br>San Antonio                                                                                                                                                                                                                                                                                                                                                                                                                                            | State<br>Texas | Country<br>USA                                                                | Citizenship<br>USA |
| Mailing Address<br>720 Pinon Blvd.                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |                                                                               |                    |
| City<br>San Antonio                                                                                                                                                                                                                                                                                                                                                                                                                                                       | State<br>Texas | Zip<br>78258                                                                  | Country<br>USA     |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.                                                                                                                                                                                                                                                                                                                  |                |                                                                               |                    |



PTO/SB/81 (11-04)  
Approved for use through 11/30/2005. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

|                        |                                   |
|------------------------|-----------------------------------|
| Application Number     | 11/271,489                        |
| Filing Date            | November 10, 2005                 |
| First Named Inventor   | Edward Walter                     |
| Title                  | VOICE OVER INTERNET PROTOCOL CODE |
| Art Unit               | 2661                              |
| Examiner Name          |                                   |
| Attorney Docket Number | 8285-772                          |

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

I hereby appoint:

☒ Practitioners associated with the Customer Number: 00757

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

OR

☒ The address associated with Customer Number: 00757

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

|                   |                                          |           |              |
|-------------------|------------------------------------------|-----------|--------------|
| Signature         |                                          | Date      | JAN 11 2006  |
| Name              | Umesh Desai                              | Telephone | 512/527-1162 |
| Title and Company | Secretary - SBC Knowledge Ventures, L.P. |           |              |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: January 19, 2006 Name: Ann Leffler

Signature: *Ann Leffler*

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Edward Walter et al.

Appln. No.: 11/271,489

Filed: November 10, 2005

For: Voice Over Internet Protocol Codec  
Adjustment

Attorney Docket No: 8285-772

Examiner:

Art Unit: 2661

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION (FILING DATE GRANTED)

Sir:

In accordance with the Notice to File Missing Parts of Application Filing Date Granted mailed December 14, 2005, "Part 2" of which is attached, enclosed herewith for filing is a fully-executed, combined Declaration for Utility or Design Patent Application (2 sheets) and Power of Attorney and Correspondence Address Indication Form (1 sheet) for the above-referenced patent application.

Applicant has calculated the fees associated with the filing of this Response as follows:

- ☒ A basic filing fee, search fee and examination fee in an amount of \$1000 under 37 C.F.R. §1.16(a).
- ☐ An additional filing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. §1.16(b), (c) and/or (d).
- ☒ A surcharge in an amount of \$130.00 under 37 C.F.R. §1.16(e).
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. §1.136(a).

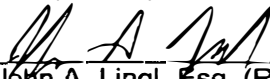
The above fee(s) are being paid as follows:

- ☒ A check in the amount of \$1,130.00 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A copy of the first page of this Request is enclosed for this purpose.
- ☐ A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of the first page of this Request is enclosed for this purpose.

Respectfully submitted,

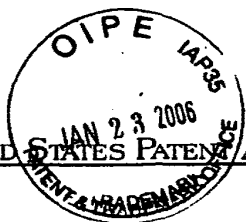
January 19, 2006

Date

  
John A. Lingl, Esq. (Reg. No. 57,414)

JAL/acl

Attachments: Check in the amount of \$1,130.00  
Copy of Notice to File Missing Parts  
Executed Declaration For Utility or Design Patent Application  
Power of Attorney and Correspondence Address Indication Form  
Return Receipt Postcard



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 Alexandria, Virginia 22313-1450  
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Tfw

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 11/271,489         | 11/10/2005             | Edward Walter         | 8285-772               |

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610

CONFIRMATION NO. 8585  
 FORMALITIES  
 LETTER

Date Mailed: 12/14/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1130 for a Large Entity

- \$300 Statutory basic filing fee.
- \$130 Surcharge.

01/24/2006 HTECKLU1 00000010 11271489

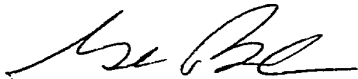
|            |           |
|------------|-----------|
| 01 FC:1011 | 300.00 OP |
| 02 FC:1111 | 500.00 OP |
| 03 FC:1311 | 200.00 OP |
| 04 FC:1051 | 130.00 OP |

- The application search fee has not been paid. Applicant must submit **\$500** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a large entity

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

---

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



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 1 - ATTORNEY/APPLICANT COPY

JAN 30 2006

|                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8</b><br>I hereby certify that this correspondence, totaling 4 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 671-273-8300 (Central number) on the below date:<br>Date: <u>January 30, 2006</u> Name: <u>Ann Leffler</u> Signature: <u>[Signature]</u> |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

|         |
|---------|
| BRINKS  |
| HOFFER  |
| GILSON  |
| & LIONE |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Edward Walter et al.  
 Appln. No.: 11/271,489  
 Filed: November 10, 2005  
 For: Voice Over Internet Protocol Codec Adjustment  
 Attorney Docket No: 8285-772

Examiner: Unknown  
 Art Unit: 2361

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

## TRANSMITTAL

Sir:

Attached is/are:

☒ Transmittal; Information Disclosure Statement and PTO-1449 (one sheet).

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

|                                           | Claims Remaining After Amendment |       | Highest No. Previously Paid For | Present Extra | Small Entity |           | or | Not a Small Entity |           |
|-------------------------------------------|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
|                                           |                                  |       |                                 |               | Rate         | Add'l Fee |    | Rate               | Add'l Fee |
| Total                                     |                                  | Minus |                                 |               | x \$25=      |           |    | x \$50=            |           |
| Indep.                                    |                                  | Minus |                                 |               | x 100=       |           |    | x \$200=           |           |
| First Presentation of Multiple Dep. Claim |                                  |       |                                 |               | +\$180=      |           |    | +\$380=            |           |
|                                           |                                  |       |                                 |               | Total        | \$        |    | Total              | \$        |

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 30, 2006  
 Date

[Signature]  
 John A. Ling, Esq. (Reg. No. 57,414)

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JAN 30 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Edward Walter et al.  
Appln. No.: 11/271,489  
Filed: November 10, 2005  
For: Voice Over Internet Protocol  
Codec Adjustment  
Attorney Docket No: 8285-772

Examiner: Unknown  
Art Unit: 2661

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

| No.             | Date of Publication | Patentee/Applicant/Assignee |
|-----------------|---------------------|-----------------------------|
| 6,754,232       | 6/22/2004           | Tasker                      |
| 6,801,604       | 10/5/2004           | Maes et al.                 |
| 6,804,254       | 10/12/2004          | Pearce et al.               |
| 2003/0012137 A1 | 1/16/2003           | Abdelilah et al.            |
| 2003/0016807 A1 | 1/23/2003           | Otsuka                      |
| 2003/0123388 A1 | 7/3/2003            | Bradd                       |
| 2004/0002339 A1 | 1/1/2004            | O'Connor                    |
| 2005/0052996 A1 | 3/10/2005           | Houck et al.                |
| 2005/0091392 A1 | 4/28/2005           | Gesswein et al.             |

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

BRINKS  
HOFFER  
GILSON  
& LIONE

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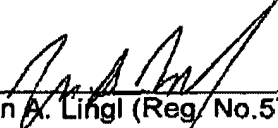
Appln. No. 11/271,489

Attorney Docket No. 8285-772

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

January 30, 2006  
Date

  
\_\_\_\_\_  
John A. Lingl (Reg. No. 57,414)

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GILSON  
& LIONE

-2-

|                                                                                                                              |                                               |                                 |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------|
| FORM PTO-1449                                                                                                                | APPLICATION NO.<br>11/271,489                 | ATTORNEY DOCKET NO.<br>8285-772 |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT<br>(use several sheets if necessary) | FILING DATE<br>November 10, 2005              | GROUP ART UNIT<br>2661          |
|                                                                                                                              | FIRST NAMED INVENTOR:<br>Edward Walter et al. |                                 |
| EXAMINER NAME: Unknown                                                                                                       |                                               |                                 |

| EXAMINER<br>INITIALS | Cite<br>No. | DOCUMENT NUMBER<br>Number-Kind Code (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where, Relevant Passages<br>or Relevant Figures Appear |
|----------------------|-------------|------------------------------------------------|-----------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------|
|                      | A1          | 6,754,232                                      | 6/22/2004                         | Tasker                                             |                                                                                  |
|                      | A2          | 6,801,804                                      | 10/5/2004                         | Maes et al.                                        |                                                                                  |
|                      | A3          | 6,804,254                                      | 10/12/2004                        | Pearce et al.                                      |                                                                                  |
|                      | A4          | 2003/0012137 A1                                | 1/16/2003                         | Abdelilah et al.                                   |                                                                                  |
|                      | A5          | 2003/0016807 A1                                | 1/23/2003                         | Otsuka                                             |                                                                                  |
|                      | A6          | 2003/0123388 A1                                | 7/3/2003                          | Bradd                                              |                                                                                  |
|                      | A7          | 2004/0002339 A1                                | 1/1/2004                          | O'Connor                                           |                                                                                  |
|                      | A8          | 2005/0052996 A1                                | 3/10/2005                         | Houck et al.                                       |                                                                                  |
|                      | A9          | 2005/0091392 A1                                | 4/28/2005                         | Gesswein et al.                                    |                                                                                  |
|                      | A10         |                                                |                                   |                                                    |                                                                                  |
|                      | A11         |                                                |                                   |                                                    |                                                                                  |
|                      | A12         |                                                |                                   |                                                    |                                                                                  |
|                      | A13         |                                                |                                   |                                                    |                                                                                  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIALS | Cite<br>No. | Foreign Patent Document<br>Country Code, Number -Number-<br>Kind Code (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns,<br>Lines, Where,<br>Relevant Passages<br>or Relevant Figures<br>Appear | T |
|----------------------|-------------|----------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------|---|
|                      | A14         |                                                                                  |                                   |                                                    |                                                                                        |   |
|                      | A15         |                                                                                  |                                   |                                                    |                                                                                        |   |
|                      | A16         |                                                                                  |                                   |                                                    |                                                                                        |   |
|                      | A17         |                                                                                  |                                   |                                                    |                                                                                        |   |
|                      | A18         |                                                                                  |                                   |                                                    |                                                                                        |   |

| EXAMINER<br>INITIAL | NON PATENT LITERATURE DOCUMENTS<br>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |  |  | T |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|---|
|                     | A19                                                                                                                                                                                                                                                                       |  |  |  |  |   |
|                     | A20                                                                                                                                                                                                                                                                       |  |  |  |  |   |
|                     | A21                                                                                                                                                                                                                                                                       |  |  |  |  |   |
|                     | A22                                                                                                                                                                                                                                                                       |  |  |  |  |   |
|                     | A23                                                                                                                                                                                                                                                                       |  |  |  |  |   |
|                     | A24                                                                                                                                                                                                                                                                       |  |  |  |  |   |

NOTE: For "T" - please place an "X" if an English translation is being provided to the Patent Office.

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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| APPLICATION NUMBER | FILING OR 371(c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 11/271,489         | 11/10/2005            | Edward Walter         | 8285-772               |

**CONFIRMATION NO. 8585**

757  
BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610

**Title:** Voice over internet protocol codec adjustment

**Publication No.** US-2007-0104185-A1

**Publication Date:** 05/10/2007

## 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](http://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.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 703-305-3028.

Pre-Grant Publication Division, 703-605-4283



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www.uspto.gov

| APPLICATION NUMBER | PATENT NUMBER | GROUP ART UNIT | FILE WRAPPER LOCATION |
|--------------------|---------------|----------------|-----------------------|
| 11/271,489         |               | 2616           |                       |



## Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 80711 on 08/12/2008

- Correspondence Address
- Maintenance Fee Address
- Power of Attorney Address

The address of record for Customer Number 80711 is:

80711  
Brinks Hofer Gilson & Lione/Ann Arbor  
524 South Main Street  
Suite 200  
Ann Arbor, MI 48104

|                                   |                                       |  |                                                             |             |
|-----------------------------------|---------------------------------------|--|-------------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>11/271,489 |  | Applicant(s)/Patent Under<br>Reexamination<br>WALTER ET AL. |             |
|                                   | Examiner<br>Min Jung                  |  | Art Unit<br>2416                                            | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name               | Classification |
|---|---|--------------------------------------------------|-----------------|--------------------|----------------|
| * | A | US-2003/0063569                                  | 04-2003         | Kalliokulju et al. | 370/252        |
| * | B | US-6,445,697                                     | 09-2002         | Fenton, James L.   | 370/357        |
| * | C | US-6,751,477                                     | 06-2004         | Alperovich et al.  | 455/560        |
| * | D | US-2005/0015253                                  | 01-2005         | Rambo et al.       | 704/246        |
| * | E | US-2004/0264482                                  | 12-2004         | Kang et al.        | 370/401        |
| * | F | US-2006/0094472                                  | 05-2006         | Othmer et al.      | 455/563        |
| * | G | US-2003/0189900                                  | 10-2003         | Barany et al.      | 370/229        |
|   | H | US-                                              |                 |                    |                |
|   | I | US-                                              |                 |                    |                |
|   | J | US-                                              |                 |                    |                |
|   | K | US-                                              |                 |                    |                |
|   | L | US-                                              |                 |                    |                |
|   | M | US-                                              |                 |                    |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>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.

JAN 30 2006

|                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| <b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8</b><br>I hereby certify that this correspondence, totaling 4 pages including rected attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:<br>Date: <u>January 30, 2006</u> Name: <u>Ann Laffler</u> Signature: <u>[Signature]</u> |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Edward Walter et al.

Appln. No.: 11/271,489

Filed: November 10, 2005

For: Voice Over Internet Protocol Codec  
Adjustment

Attorney Docket No: 8285-772

Examiner: Unknown

Art Unit: 2361

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

## TRANSMITTAL

Sir:

Attached is/are:

☒ Transmittal; Information Disclosure Statement and PTO-1449 (one sheet).

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

|                                           | Claims Remaining After Amendment | Highest No. Previously Paid For | Present Extra | Small Entity |           | or | Not a Small Entity |           |
|-------------------------------------------|----------------------------------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
|                                           |                                  |                                 |               | Rate         | Add'l Fee |    | Rate               | Add'l Fee |
| Total                                     | Minus                            |                                 |               | x \$25=      |           |    | x \$50=            |           |
| Indep.                                    | Minus                            |                                 |               | x 100=       |           |    | x \$200=           |           |
| First Presentation of Multiple Dep. Claim |                                  |                                 |               | + \$180=     |           |    | + \$360=           |           |
|                                           |                                  |                                 |               | Total        | \$        |    | Total              | \$        |

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
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Respectfully submitted,

January 30, 2006  
Date

[Signature]  
John A. Lingl, Esq. (Reg. No. 67,414)

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JAN 30 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Edward Walter et al.  
 Appln. No.: 11/271,489  
 Filed: November 10, 2005  
 For: Voice Over Internet Protocol  
 Codec Adjustment  
 Attorney Docket No: 8285-772

Examiner: Unknown  
 Art Unit: 2661

## INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

| No.             | Date of Publication | Patentee/Applicant/Assignee |
|-----------------|---------------------|-----------------------------|
| 6,754,232       | 6/22/2004           | Tasker                      |
| 6,801,604       | 10/5/2004           | Maes et al.                 |
| 6,804,254       | 10/12/2004          | Pearce et al.               |
| 2003/0012137 A1 | 1/16/2003           | Abdelilah et al.            |
| 2003/0016807 A1 | 1/23/2003           | Otsuka                      |
| 2003/0123388 A1 | 7/3/2003            | Bradd                       |
| 2004/0002339 A1 | 1/1/2004            | O'Connor                    |
| 2005/0052996 A1 | 3/10/2005           | Houck et al.                |
| 2005/0091392 A1 | 4/28/2005           | Gesswein et al.             |

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

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BRINKS  
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GILSON  
SLIGNE

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Appln. No. 11/271,489

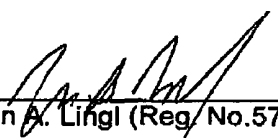
Attorney Docket No. 8285-772

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

January 30, 2006

Date

  
\_\_\_\_\_  
John A. Lingl (Reg. No. 57,414)

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HOFFER  
GILSON  
& LIONE

-2-

|                                                                                                                              |                                               |                                 |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------------------------------|
| FORM PTO-1449                                                                                                                | APPLICATION NO.<br>11/271,489                 | ATTORNEY DOCKET NO.<br>8285-772 |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT<br>(use several sheets if necessary) | FILING DATE<br>November 10, 2005              | GROUP ART UNIT<br>2661          |
|                                                                                                                              | FIRST NAMED INVENTOR:<br>Edward Walter et al. | EXAMINER NAME:<br>Unknown       |

| EXAMINER<br>INITIALS | Cite<br>No. | DOCUMENT NUMBER<br>Number-Kind Code (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where, Relevant Passages<br>or Relevant Figures Appear |
|----------------------|-------------|------------------------------------------------|-----------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------|
|                      | A1          | 6,754,232                                      | 6/22/2004                         | Tasker                                             |                                                                                  |
|                      | A2          | 6,801,604                                      | 10/5/2004                         | Maes et al.                                        |                                                                                  |
|                      | A3          | 6,804,254                                      | 10/12/2004                        | Pearce et al.                                      |                                                                                  |
|                      | A4          | 2003/0012137 A1                                | 1/16/2003                         | Abdellah et al.                                    |                                                                                  |
|                      | A5          | 2003/0016807 A1                                | 1/23/2003                         | Otsuka                                             |                                                                                  |
|                      | A6          | 2003/0123388 A1                                | 7/3/2003                          | Bradd                                              |                                                                                  |
|                      | A7          | 2004/0002339 A1                                | 1/1/2004                          | O'Connor                                           |                                                                                  |
|                      | A8          | 2005/0052996 A1                                | 3/10/2005                         | Houck et al.                                       |                                                                                  |
|                      | A9          | 2005/0091392 A1                                | 4/28/2005                         | Gesswein et al.                                    |                                                                                  |
|                      | A10         |                                                |                                   |                                                    |                                                                                  |
|                      | A11         |                                                |                                   |                                                    |                                                                                  |
|                      | A12         |                                                |                                   |                                                    |                                                                                  |
|                      | A13         |                                                |                                   |                                                    |                                                                                  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIALS | Cite<br>No. | Foreign Patent Document<br>Country Code, Number-Number-<br>Kind Code (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns,<br>Lines, Where,<br>Relevant Passages<br>or Relevant Figures<br>Appear | T |
|----------------------|-------------|---------------------------------------------------------------------------------|-----------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------|---|
|                      | A14         |                                                                                 |                                   |                                                    |                                                                                        |   |
|                      | A15         |                                                                                 |                                   |                                                    |                                                                                        |   |
|                      | A16         |                                                                                 |                                   |                                                    |                                                                                        |   |
|                      | A17         |                                                                                 |                                   |                                                    |                                                                                        |   |
|                      | A18         |                                                                                 |                                   |                                                    |                                                                                        |   |

| EXAMINER<br>INITIAL | NON PATENT LITERATURE DOCUMENTS<br>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial,<br>symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |  |  | T |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|---|
|                     | A19                                                                                                                                                                                                                                                                          |  |  |  |  |   |
|                     | A20                                                                                                                                                                                                                                                                          |  |  |  |  |   |
|                     | A21                                                                                                                                                                                                                                                                          |  |  |  |  |   |
|                     | A22                                                                                                                                                                                                                                                                          |  |  |  |  |   |
|                     | A23                                                                                                                                                                                                                                                                          |  |  |  |  |   |
|                     | A24                                                                                                                                                                                                                                                                          |  |  |  |  |   |

NOTE: For "T" - please place an "X" if an English translation is being provided to the Patent Office.

|                                  |                 |
|----------------------------------|-----------------|
| EXAMINER /Min Jung/ (12/20/2006) | DATE CONSIDERED |
|----------------------------------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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## BIB DATA SHEET

CONFIRMATION NO. 8585

|                                                                                                                                                                                                                                                                    |                                                                                                                   |                                                              |                                   |                                            |                               |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------|--------------------------------------------|-------------------------------|------------------------------------|
| <b>SERIAL NUMBER</b><br>11/271,489                                                                                                                                                                                                                                 | <b>FILING or 371(c)<br/>DATE</b><br>11/10/2005<br><b>RULE</b>                                                     | <b>CLASS</b><br>370                                          | <b>GROUP ART UNIT</b><br>2416     | <b>ATTORNEY DOCKET<br/>NO.</b><br>8285-772 |                               |                                    |
| <b>APPLICANTS</b><br>Edward Walter, Boerne, TX;<br>Matthew Bruening, San Antonio, TX;<br><b>** CONTINUING DATA *****</b><br><b>** FOREIGN APPLICATIONS *****</b><br><b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **</b><br>12/12/2005                         |                                                                                                                   |                                                              |                                   |                                            |                               |                                    |
| Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Verified and /MIN JUNG/<br>Acknowledged Examiner's Signature |                                                                                                                   | <input type="checkbox"/> Met after Allowance<br>Initials     | <b>STATE OR<br/>COUNTRY</b><br>TX | <b>SHEETS<br/>DRAWINGS</b><br>4            | <b>TOTAL<br/>CLAIMS</b><br>18 | <b>INDEPENDENT<br/>CLAIMS</b><br>3 |
| <b>ADDRESS</b><br>Brinks Hofer Gilson & Lione/Ann Arbor<br>524 South Main Street<br>Suite 200<br>Ann Arbor, MI 48104<br>UNITED STATES                                                                                                                              |                                                                                                                   |                                                              |                                   |                                            |                               |                                    |
| <b>TITLE</b><br>Voice over internet protocol codec adjustment                                                                                                                                                                                                      |                                                                                                                   |                                                              |                                   |                                            |                               |                                    |
| <b>FILING FEE<br/>RECEIVED</b><br>1130                                                                                                                                                                                                                             | FEES: Authority has been given in Paper<br>No. _____ to charge/credit DEPOSIT ACCOUNT<br>No. _____ for following: | <input type="checkbox"/> All Fees                            |                                   |                                            |                               |                                    |
|                                                                                                                                                                                                                                                                    |                                                                                                                   | <input type="checkbox"/> 1.16 Fees (Filing)                  |                                   |                                            |                               |                                    |
|                                                                                                                                                                                                                                                                    |                                                                                                                   | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |                                   |                                            |                               |                                    |
|                                                                                                                                                                                                                                                                    |                                                                                                                   | <input type="checkbox"/> 1.18 Fees (Issue)                   |                                   |                                            |                               |                                    |
|                                                                                                                                                                                                                                                                    |                                                                                                                   | <input type="checkbox"/> Other _____                         |                                   |                                            |                               |                                    |
|                                                                                                                                                                                                                                                                    |                                                                                                                   | <input type="checkbox"/> Credit                              |                                   |                                            |                               |                                    |



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| APPLICATION NO.                                                                                                             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|-----------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|-------------------------|------------------------|
| 11/271,489                                                                                                                  | 11/10/2005  | Edward Walter        | 8285-772                | 8585                   |
| 80711 7500 12/23/2008<br>Brinks Hofer Gilson & Lione/Ann Arbor<br>524 South Main Street<br>Suite 200<br>Ann Arbor, MI 48104 |             |                      | EXAMINER<br>JUNG, MIN   |                        |
|                                                                                                                             |             |                      | ART UNIT<br>2416        | PAPER NUMBER           |
|                                                                                                                             |             |                      | MAIL DATE<br>12/23/2008 | DELIVERY MODE<br>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.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 11/271,489             | WALTER ET AL.       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Min Jung               | 2416                |  |

**-- 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 10 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 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) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

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

#### Priority under 35 U.S.C. § 119

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

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

#### Attachment(s)

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

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. 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.

2. Claims 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.

In claim 1, it is not clear if the system recited is to be read according to the arrangement shown in Fig. 1 or Fig. 2. Further, at lines 4 and 6, respectively, the phrase “capable of” is unclear because it only suggests the ability of the interfaces, and does not recite a definite connection.

In claim 8, line 11, it is not clear if “via” was used to mean “using”.

In claims 4 and 11, it is not clear whether the “primary WAN is inoperative” has any thing to do with ‘the call quality signal’ or ‘the measured quality of the VOIP telephone call’.

In claim 15, line 1, “a plurality of codecs” recited at line 4 seems to contradict “an adjustable codec” recited at line 1 – are there a plurality of codecs within an adjustable codec?

### ***Claim Rejections - 35 USC § 103***

3. 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:

Art Unit: 2416

(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.

4. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalliokulju et al., US 2003/0063569.

Kalliokulju discloses selecting an operational mode of a codec.

Regarding claim 1, Kalliokulju teaches a system comprising: a VOIP service provider system having a call control gatekeeper (RNC shown in fig. 3), a first interface and a second interface; the first interface capable of connecting to a first LAN having an interface to a first VOIP telephone (wireless network to the left of RNC1 shown in Fig. 3); the second interface capable of connecting to a second LAN having an interface to a second VOIP telephone (wireless network to the right of RNC2 shown in Fig. 3); the first and second VOIP telephones being configured to communicate using a first codec [0018]. Kalliokulju fails to teach the call control gatekeeper configured to receive a call quality signal from the first VOIP telephone and send an adjustment signal based on the call quality signal to the first and second VOIP telephones instructing the first and second VOIP telephones to communicate using a second codec. However, Kalliokulju teaches that the RNC (call control gatekeeper) observes congestion and judges switching to lower mode codec [0042]. In Kalliokulju's implementation, receiving a call quality signal and sending an adjustment signal are not needed because the congestion (call quality) is detected at RNC, and the adjustment is made at RNC. With the teaching of codec selection as taught in Kalliokulju at hand, it

Art Unit: 2416

would have been obvious for one of ordinary skill in the art at the time of the invention to make modifications to have the RNC receive the quality signal and send adjustment signal, because such functions are basic signaling information exchange functions which can be employed to make a variation on which element detects the congestion and which element makes the adjustment.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Fenton patent, the Alperovich et al. patent, the Rambo et al. PG Pub., the Kang et al. PG Pub., the Othemer PG Pub., the Barany et al. PG Pub., are cited for further references.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Min Jung whose telephone number is 571-272-3127. The examiner can normally be reached on Monday through Friday 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. 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.

/Min Jung/  
Primary Examiner, Art Unit 2416

|                                                                                                                        |                                                |                                                                     |
|------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br><br> | <b>Application/Control No.</b><br><br>11271489 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>WALTER ET AL. |
|                                                                                                                        | <b>Examiner</b><br><br>Min Jung                | <b>Art Unit</b><br><br>2416                                         |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |  |  |  |  |  |  |  |  | <input type="checkbox"/> CPA |  |  |  |  |  |  |  |  |  |  | <input type="checkbox"/> T.D. |  |  |  |  |  |  |  |  |  |  | <input type="checkbox"/> R.1.47 |  |  |  |  |  |  |  |  |  |  |
|----------------------------------------------------------------------------------------|----------|------------|--|--|--|--|--|--|--|--|------------------------------|--|--|--|--|--|--|--|--|--|--|-------------------------------|--|--|--|--|--|--|--|--|--|--|---------------------------------|--|--|--|--|--|--|--|--|--|--|
| CLAIM                                                                                  |          | DATE       |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
| Final                                                                                  | Original | 12/20/2008 |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 1        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 2        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 3        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 4        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 5        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 6        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 7        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 8        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 9        | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 10       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 11       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 12       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 13       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 14       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 15       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 16       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 17       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |
|                                                                                        | 18       | ✓          |  |  |  |  |  |  |  |  |                              |  |  |  |  |  |  |  |  |  |  |                               |  |  |  |  |  |  |  |  |  |  |                                 |  |  |  |  |  |  |  |  |  |  |

|                                                                                                              |                                                |                                                                     |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>11271489 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>WALTER ET AL. |
|                                                                                                              | <b>Examiner</b><br><br>Min Jung                | <b>Art Unit</b><br><br>2416                                         |

| SEARCHED |                                                    |          |          |
|----------|----------------------------------------------------|----------|----------|
| Class    | Subclass                                           | Date     | Examiner |
| 370      | 352, 356, 229-232, 235-237, 225-228, 401, 468, 477 | 12-20-08 | MJ       |

| SEARCH NOTES   |  |          |          |
|----------------|--|----------|----------|
| Search Notes   |  | Date     | Examiner |
| EAST searched. |  | 12-20-08 | MJ       |

| INTERFERENCE SEARCH |          |      |          |
|---------------------|----------|------|----------|
| Class               | Subclass | Date | Examiner |
|                     |          |      |          |

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## EAST Search History

| Ref # | Hits    | Search Query         | DBs                | Default Operator | Plurals | Time Stamp          |
|-------|---------|----------------------|--------------------|------------------|---------|---------------------|
| S1    | 20825   | voip                 | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:37 |
| S2    | 373819  | voip telephone       | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:57 |
| S3    | 1065054 | quality              | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S4    | 400     | second adj codec     | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S5    | 55      | S3 same S4           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S6    | 16      | S1 and S5            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S7    | 1141    | select\$ near2 codec | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S8    | 300     | S3 same S7           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S9    | 119     | S1 and S8            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S10   | 88      | S7.ab.               | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S11   | 12      | S9 and S10           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S12   | 1       | "6754232".pn.        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:52 |
| S13   | 1       | "6801604".pn.        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |
| S14   | 1       | "6804264".pn.        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |

|     |      |                                                                   |                    |    |     |                     |
|-----|------|-------------------------------------------------------------------|--------------------|----|-----|---------------------|
| S15 | 1    | "20030012137".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:53 |
| S16 | 1    | "20030016807".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:53 |
| S17 | 1    | "20030123388".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S18 | 1    | "20040002339".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S19 | 1    | "20050052996".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S20 | 1    | "20050091392".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S21 | 9    | S12 or S13 or S14 or S15<br>or S16 or S17 or S18 or<br>S19 or S20 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:55 |
| S22 | 8197 | 370/352,356.ccls.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:03 |
| S23 | 1614 | codec.ab.                                                         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S24 | 92   | S22 and S23                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S25 | 38   | S7 and S24                                                        | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S26 | 7    | S10 and S25                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S27 | 9005 | 370/229-232,235-237.<br>ccls.                                     | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:06 |
| S28 | 2    | S10 and S27                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:07 |
| S29 | 29   | S23 and S27                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S30 | 11   | S7 and S29                                                        | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |

|     |        |                       |                    |    |     |                     |
|-----|--------|-----------------------|--------------------|----|-----|---------------------|
| S31 | 11     | S30 not S26           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S32 | 11     | S31 not S11           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S33 | 1270   | 370/225-228.ccls.     | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:10 |
| S34 | 0      | S10 and S33           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S35 | 0      | S23 and S33           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S36 | 0      | S7 and S33            | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S37 | 11077  | 370/401,468,477.ccls. | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S38 | 12     | S10 and S37           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S39 | 12     | S38 not S32           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S40 | 11     | S39 not S11           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S41 | 369097 | telephone             | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S42 | 251970 | ip                    | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S43 | 20825  | voip                  | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S44 | 255784 | S42 or S43            | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S45 | 4945   | S44 near S41          | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S46 | 29445  | codec                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |

|     |         |                      |                    |    |     |                     |
|-----|---------|----------------------|--------------------|----|-----|---------------------|
| S47 | 206     | S45 same S46         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S48 | 5       | S47.ab.              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S49 | 750     | ip adj telephone     | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S50 | 434     | packet adj loss      | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S51 | 7       | S49 and S50          | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S52 | 2082    | codec                | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S53 | 12      | S49 and S52          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S54 | 12      | S53 not S51          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S55 | 0       | 2004-070460          | JPO                | OR | OFF | 2008/12/20<br>15:05 |
| S56 | 1       | "2004070460"         | JPO                | OR | OFF | 2008/12/20<br>15:06 |
| S57 | 133     | plurality adj2 codec | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:32 |
| S58 | 1065054 | quality              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S59 | 30      | S57 same S58         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S60 | 20825   | voip                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S61 | 7       | S59 and S60          | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |

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| APPLICATION NUMBER | PATENT NUMBER | GROUP ART UNIT | FILE WRAPPER LOCATION |
|--------------------|---------------|----------------|-----------------------|
| 11/271,489         |               | 2416           |                       |



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

83808 7500 02/12/2009  
AT & T Legal Department - BHGL  
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Bedminster, NJ 07921

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| EXAMINER |
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JUNG, MIN

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| ART UNIT | PAPER NUMBER |
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2416

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| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

02/12/2009

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.

|                          |                        |                     |  |
|--------------------------|------------------------|---------------------|--|
| <b>Interview Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                          | 11/271,489             | WALTER ET AL.       |  |
|                          | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                          | Min Jung               | 2416                |  |

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

(1) Min Jung. (3)\_\_\_\_\_.

(2) John Lingl. (4)\_\_\_\_\_.

Date of Interview: 10 February 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1-18.

Identification of prior art discussed: \_\_\_\_\_.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The examiner's position on the last office action was clarified by this interview as follows: Claims 1-18 have been rejected under 35 USC 112, 2<sup>nd</sup> paragraph, Claims 1, 8, and 15 have been rejected under 35 USC 103, and claims 2-7, 9-14, and 16-18 have been rejected under 35 USC 112, second paragraph only, and therefore, would be allowable when the 112 problems are removed and the claims include all the limitations of the base claims, respectively.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Min Jung/  
Primary Examiner, Art Unit 2416

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Edward Walter, et al.  
Appln. No.: 11/271,489  
Filed: November 10, 2005  
For: VOICE OVER INTERNET  
PROTOCOL CODEC  
ADJUSTMENT  
Attorney Docket No: 8285-772

Examiner: Jung, Min  
Art Unit: 2416

REPLY UNDER 37 C.F.R. §1.111

In response to the Office Action mailed December 23, 2008, Applicants respectfully submit this paper comprising the following parts:

- I. **Listing of Claims**, beginning on page 2; and
- II. **Remarks**, beginning on page 13.

Applicants note that the Transmittal to which this paper is attached includes a Certificate of Electronic Transmission under 37 C.F.R. §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.



BRINKS HOFER GILSON & LIONE  
PO Box 10395  
Chicago, IL 60610

- 1 -

**I. Listing of Claims**

1. (Cancelled)

2. (Currently Amended)      ~~The system of claim 1,~~ A system comprising:  
a VoIP service provider system having a call control gatekeeper, a first  
interface and a second interface;  
the first interface connected to a first LAN having an interface to a first VoIP  
telephone;  
the second interface connected to a second LAN having an interface to a  
second VoIP telephone;  
the first and second VoIP telephones being configured to communicate using  
a first codec;  
the call control gatekeeper configured to receive a call quality signal from the  
first VoIP telephone and send an adjustment signal based on the call quality  
signal to the first and second VoIP telephones instructing the first and second  
VoIP telephones to communicate using a second codec; and  
wherein the adjustment signal based on the call quality signal is sent to the  
first and second VoIP telephones during a telephone call between the first and  
second VoIP telephones.

3. (Currently Amended)      ~~The system of claim 1,~~ A system comprising:

a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec; and

wherein the call quality signal is based upon a number of dropped voice packets during a VoIP telephone call.

4. (Currently Amended)      ~~The system of claim 1, further comprising:~~ A system comprising:

a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec; and

a primary WAN and a secondary WAN connection between the first LAN and the VoIP service provider system for connecting the first LAN to the VoIP service provider system, the secondary WAN provides a backup connection when the call quality signal indicates that the primary WAN is inoperative.

5. (Original) The system of claim 4, wherein a bandwidth of the secondary WAN is less than a bandwidth of the primary WAN.

6. (Original) The system of claim 4, wherein the call control gatekeeper is configured to detect and send an adjustment signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call when the primary WAN is inoperative.

7. (Currently Amended) ~~The system of claim 1, further comprising: A~~  
system comprising:

a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec;

a public switched telephone network; and

a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.

8. (Cancelled)

9. (Currently Amended) The system of claim 8; A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the quality of the VoIP telephone call is measured by a number of dropped voice packets.

10. (Currently Amended) The system of claim 8; A system for changing a codec of a VoIP telephone call, the system comprising;

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the first LAN further comprises a call control gatekeeper in communication with the router configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

11. (Currently Amended) ~~The system of claim 8, further comprising:~~ A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets,

measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call;

a secondary WAN in communication with the routers of the first and second LANs for transferring the voice packets between the VoIP telephones when the primary WAN is inoperative; and

the VoIP telephones being configured to detect when the primary WAN is inoperative and change the codec of the VoIP call when the call quality signal indicates that the primary WAN is inoperative.

12. (Currently Amended) ~~The system of claim 8,~~ A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the bandwidth of the primary WAN is greater than the bandwidth of the primary WAN.

13. (Original) The system of claim 11, wherein the first LAN further comprises a call control gatekeeper configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

14. (Currently Amended) ~~The system of claim 8, further comprising:~~ A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets,

measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call;

a public switched telephone network; and

a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.

15. (Cancelled)

16. (Currently Amended)      ~~The telephone of claim 15;~~ A VoIP telephone having an adjustable codec having a plurality of codecs responsive to network conditions, the VoIP telephone comprising:

a processor;

a memory unit in communication with the processor having a plurality of codecs;

first logic executable by the processor to communicate to a second VoIP telephone using a first of the plurality of codecs;

second logic executable by the processor for configuring the processor to detect call quality of call to the second VoIP telephone;

third logic executable by the processor for configuring the processor to communicate with the second VoIP telephone using a second of the plurality of codecs based on the detected call quality; and

wherein the first codec has a greater bandwidth than the second codec.

17. (Currently Amended) ~~The telephone of claim 15,~~ A VoIP telephone having an adjustable codec having a plurality of codecs responsive to network conditions, the VoIP telephone comprising:

a processor;

a memory unit in communication with the processor having a plurality of codecs;

first logic executable by the processor to communicate to a second VoIP telephone using a first of the plurality of codecs;

second logic executable by the processor for configuring the processor to detect call quality of call to the second VoIP telephone;

third logic executable by the processor for configuring the processor to communicate with the second VoIP telephone using a second of the plurality of codecs based on the detected call quality; and

wherein the first codec is G.711 and the second codec is G.729.

18. (Currently Amended) ~~The telephone of claim 15,~~ A VoIP telephone having an adjustable codec having a plurality of codecs responsive to network conditions, the VoIP telephone comprising:

a processor;

a memory unit in communication with the processor having a plurality of codecs;

first logic executable by the processor to communicate to a second VoIP telephone using a first of the plurality of codecs;

second logic executable by the processor for configuring the processor to detect call quality of call to the second VoIP telephone;

third logic executable by the processor for configuring the processor to communicate with the second VoIP telephone using a second of the plurality of codecs based on the detected call quality; and

wherein the call quality is based on the number of dropped voice packets.

## Electronic Acknowledgement Receipt

|                                             |                                               |
|---------------------------------------------|-----------------------------------------------|
| <b>EFS ID:</b>                              | 5533287                                       |
| <b>Application Number:</b>                  | 11271489                                      |
| <b>International Application Number:</b>    |                                               |
| <b>Confirmation Number:</b>                 | 8585                                          |
| <b>Title of Invention:</b>                  | Voice over internet protocol codec adjustment |
| <b>First Named Inventor/Applicant Name:</b> | Edward Walter                                 |
| <b>Customer Number:</b>                     | 83808                                         |
| <b>Filer:</b>                               | John Alfred Lingl                             |
| <b>Filer Authorized By:</b>                 |                                               |
| <b>Attorney Docket Number:</b>              | 8285-772                                      |
| <b>Receipt Date:</b>                        | 17-JUN-2009                                   |
| <b>Filing Date:</b>                         | 10-NOV-2005                                   |
| <b>Time Stamp:</b>                          | 17:56:47                                      |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                   |

### Payment information:

|                                          |                 |
|------------------------------------------|-----------------|
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| Payment Type                             | Deposit Account |
| Payment was successfully received in RAM | \$ 1110         |
| RAM confirmation Number                  | 4115            |
| Deposit Account                          | 231925          |
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| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Miscellaneous Incoming Letter                              | PTO_090617_Transmittal_8285772.pdf | 39366<br><small>6b14217909b492883f10605c3c25432aa0500899</small>  | no               | 1                |
| Warnings:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                            |                                    |                                                                   |                  |                  |
| Information:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                            |                                    |                                                                   |                  |                  |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                            | PTO_090617_Amendment_8285772.pdf   | 440417<br><small>59e990b4410333b7ffcba45be3c426710187e912</small> | yes              | 15               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Multipart Description/PDF files in .zip description</b> |                                    |                                                                   |                  |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Document Description</b>                                |                                    | <b>Start</b>                                                      | <b>End</b>       |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Amendment/Req. Reconsideration-After Non-Final Reject      |                                    | 1                                                                 | 1                |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Claims                                                     |                                    | 2                                                                 | 12               |                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Applicant Arguments/Remarks Made in a n Amendment          |                                    | 13                                                                | 15               |                  |
| Warnings:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                            |                                    |                                                                   |                  |                  |
| Information:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                            |                                    |                                                                   |                  |                  |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Fee Worksheet (PTO-875)                                    | fee-info.pdf                       | 29803<br><small>41cb7091b44e4f8a4565334562155309b004c3a9</small>  | no               | 2                |
| Warnings:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                            |                                    |                                                                   |                  |                  |
| Information:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                            |                                    |                                                                   |                  |                  |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                            |                                    | 509586                                                            |                  |                  |
| <p>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.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/>           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.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/>           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.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/>           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.</p> |                                                            |                                    |                                                                   |                  |                  |

## **II. Remarks**

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-18 remain pending.

### *Summary of Interview with Examiner*

On February 10, 2009, an interview was held with the examiner to clarify the Office Action. The examiner clarified that claims 1, 8, and 15 have been rejected under 35 U.S.C. § 103 and claims 2-7, 9-14, and 16-18 have been rejected under 35 U.S.C. § 112, second paragraph only. Therefore, the examiner clarified that claims 2-7, 9-14, and 16-18 would be allowable when the rejections under 35 U.S.C. § 112 were overcome.

### *Allowable Subject Matter*

The Examiner's indication in the Interview Summary mailed February 12, 2009 that claims 2-7, 9-14, and 16-18 would be allowable if rewritten in independent form and to overcome the rejections under 35 U.S.C. § 112 is gratefully acknowledged. With regard to claim 2-4, 7, 9-12, 14, and 16-18, these claims are now presented in independent form including all the limitations of their base claims and any intervening claims. Since dependent claims necessarily include all the limitations of their intervening claims, it is submitted that this amendments of claims are not narrowing amendments and do not give rise to

any estoppel issues with regard to their interpretation under the doctrine of equivalents or limitations on that doctrine.

The remaining claims are all dependent on claims 2-4, 7, 9-12, 14, or 16-18 and are allowable for at least the same reasons as stated above.

*Claim Rejections - 35 U.S.C. § 112*

Claims 1, 4, 11, and 15 were 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.

As to claims 4 and 11, the Office Action states that it was not clear whether the “primary WAN is inoperative” has anything to do with the “the call quality signal” or “the measured quality of the VOIP telephone call.” In an effort to clear up this ambiguity, claims 4 and 11 have been amended to recite that the secondary WAN provides a backup connection when the call quality signal indicates that the primary WAN is inoperative. As such, it is believed that the applicant has removed any ambiguities.

As to claims 1, 8, and 15, these claims have been cancelled. However, claim 1 has been incorporated into claims 2-4, and 7. Claim 8 has been incorporated into claims 9-12, and 14. Claim 15 has been incorporated into claim 16-18.

As to the claims incorporating original claim 1, these claims have been amended to recite that the first interface is connected to a first LAN and the

second interface is connected to a second LAN. As such, it is believed that this language is now clear as applicants have removed the phrase "capable of."

As to the claims incorporating claim 8, as suggested by the examiner, the term "via" has been replaced the term "using." As such, it is believed that the claims incorporating claim 8 are now clear.

Finally, as to the claims incorporating claim 15, these claims have been amended to recite that the adjustable codec has a plurality of codecs therefore removing any ambiguity, as the examiner was unsure of the adjustable codec concluded a plurality of codecs.

#### *Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

June 17, 2009  
\_\_\_\_\_  
Date

/John A. Lingl/  
\_\_\_\_\_  
John A. Lingl (Reg. No. 57,414)

Attachments: None

**CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: June 17 2009 Name: John A. Lingl Reg. No. 57 414 Signature: /John A. Lingl/

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Edward Walter, et al.

Appln. No.: 11/271,489

Filed: November 10, 2005

For: VOICE OVER INTERNET PROTOCOL  
CODEC ADJUSTMENT

Attorney Docket No.: 8285-772

Examiner: Jung, Min

Art Unit: 2416

Conf. No.: 8585

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**Attached is/are:**

☒ Reply Under 37 C.F.R. 1.111.

**Fee calculation:**

☐ No additional fee is required.

☐ Small Entity.

☒ An extension fee in an amount of \$1110.00 for a three-month extension of time under 37 CFR § 1.136(a).

☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_\_).

☐ An additional filing fee has been calculated as shown below:

|                                           |                                  |       |                                 |               | Small Entity |           |    | Not a Small Entity |           |
|-------------------------------------------|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
|                                           | Claims Remaining After Amendment |       | Highest No. Previously Paid For | Present Extra | Rate         | Add'l Fee | OR | Rate               | Add'l Fee |
| Total                                     |                                  | Minus |                                 |               | x \$26=      |           |    | x \$52=            |           |
| Indep.                                    |                                  | Minus |                                 |               | x 110=       |           |    | x \$220=           |           |
| First Presentation of Multiple Dep. Claim |                                  |       |                                 |               | +\$195=      |           |    | + \$390=           |           |
|                                           |                                  |       |                                 |               | Total        | \$        |    | Total              | \$        |

**Fee payment:**

☒ Please charge Deposit Account No. 23-1925 in the amount of \$1 110.00 for three-month extension.

☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

June 17, 2009  
Date

/John A. Lingl/  
John A. Lingl (Reg. No. 57,414)

## Electronic Patent Application Fee Transmittal

|                                                |                                               |                 |               |                             |
|------------------------------------------------|-----------------------------------------------|-----------------|---------------|-----------------------------|
| <b>Application Number:</b>                     | 11271489                                      |                 |               |                             |
| <b>Filing Date:</b>                            | 10-Nov-2005                                   |                 |               |                             |
| <b>Title of Invention:</b>                     | Voice over internet protocol codec adjustment |                 |               |                             |
| <b>First Named Inventor/Applicant Name:</b>    | Edward Walter                                 |                 |               |                             |
| <b>Filer:</b>                                  | John Alfred Lingl/Janet Levoska               |                 |               |                             |
| <b>Attorney Docket Number:</b>                 | 8285-772                                      |                 |               |                             |
| Filed as Large Entity                          |                                               |                 |               |                             |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |                                               |                 |               |                             |
| <b>Description</b>                             | <b>Fee Code</b>                               | <b>Quantity</b> | <b>Amount</b> | <b>Sub-Total in USD(\$)</b> |
| <b>Basic Filing:</b>                           |                                               |                 |               |                             |
| <b>Pages:</b>                                  |                                               |                 |               |                             |
| <b>Claims:</b>                                 |                                               |                 |               |                             |
| <b>Miscellaneous-Filing:</b>                   |                                               |                 |               |                             |
| <b>Petition:</b>                               |                                               |                 |               |                             |
| <b>Patent-Appeals-and-Interference:</b>        |                                               |                 |               |                             |
| <b>Post-Allowance-and-Post-Issuance:</b>       |                                               |                 |               |                             |
| <b>Extension-of-Time:</b>                      |                                               |                 |               |                             |
| Extension - 3 months with \$0 paid             | 1253                                          | 1               | 1110          | 1110                        |

| Description       | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous:    |          |          |        |                      |
| Total in USD (\$) |          |          |        | 1110                 |

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| <b>PATENT APPLICATION FEE DETERMINATION RECORD</b><br>Substitute for Form PTO-875                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                  |                                    |               | Application or Docket Number<br><b>11/271,489</b> |                                          | Filing Date<br><b>11/10/2005</b> |                         | <input type="checkbox"/> To be Mailed |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------|------------------------------------|---------------|---------------------------------------------------|------------------------------------------|----------------------------------|-------------------------|---------------------------------------|-------------|
| <b>APPLICATION AS FILED – PART I</b>                                                                                                                                                                                                                                                                                                                                                                              |                                                                                          |                                  |                                    |               |                                                   |                                          |                                  |                         |                                       |             |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  | (Column 2)                         |               |                                                   | SMALL ENTITY <input type="checkbox"/> OR |                                  | OTHER THAN SMALL ENTITY |                                       |             |
| FOR                                                                                                                                                                                                                                                                                                                                                                                                               | NUMBER FILED                                                                             | NUMBER EXTRA                     | RATE (\$)                          | FEE (\$)      | OR                                                | RATE (\$)                                | FEE (\$)                         |                         |                                       |             |
| <input type="checkbox"/> BASIC FEE<br>(37 CFR 1.16(a), (b), or (c))                                                                                                                                                                                                                                                                                                                                               | N/A                                                                                      | N/A                              | N/A                                |               |                                                   | N/A                                      |                                  |                         |                                       |             |
| <input type="checkbox"/> SEARCH FEE<br>(37 CFR 1.16(k), (l), or (m))                                                                                                                                                                                                                                                                                                                                              | N/A                                                                                      | N/A                              | N/A                                |               |                                                   | N/A                                      |                                  |                         |                                       |             |
| <input type="checkbox"/> EXAMINATION FEE<br>(37 CFR 1.16(o), (p), or (q))                                                                                                                                                                                                                                                                                                                                         | N/A                                                                                      | N/A                              | N/A                                |               |                                                   | N/A                                      |                                  |                         |                                       |             |
| TOTAL CLAIMS<br>(37 CFR 1.16(i))                                                                                                                                                                                                                                                                                                                                                                                  | minus 20 =                                                                               | *                                | X \$                               | =             |                                                   | X \$                                     | =                                |                         |                                       |             |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(h))                                                                                                                                                                                                                                                                                                                                                                            | minus 3 =                                                                                | *                                | X \$                               | =             |                                                   | X \$                                     | =                                |                         |                                       |             |
| <input type="checkbox"/> APPLICATION SIZE FEE<br>(37 CFR 1.16(s))<br>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).                                                                                                                |                                                                                          |                                  |                                    |               | OR                                                |                                          |                                  |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  |                                    |               | OR                                                |                                          |                                  |                         |                                       |             |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  |                                    |               | OR                                                |                                          |                                  |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  | TOTAL                              |               |                                                   | TOTAL                                    |                                  |                         |                                       |             |
| * If the difference in column 1 is less than zero, enter "0" in column 2.                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                  |                                    |               |                                                   |                                          |                                  |                         |                                       |             |
| <b>APPLICATION AS AMENDED – PART II</b>                                                                                                                                                                                                                                                                                                                                                                           |                                                                                          |                                  |                                    |               |                                                   |                                          |                                  |                         |                                       |             |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  | (Column 2)                         |               |                                                   | SMALL ENTITY OR                          |                                  | OTHER THAN SMALL ENTITY |                                       |             |
| <b>AMENDMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                  | <b>06/17/2009</b>                                                                        | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE (\$)                                         | ADDITIONAL FEE (\$)                      | OR                               | RATE (\$)               | ADDITIONAL FEE (\$)                   |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Total (37 CFR 1.16(i))                                                                   | * 15                             | Minus                              | ** 20         | =                                                 | 0                                        |                                  | X \$52=                 | 0                                     |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Independent (37 CFR 1.16(h))                                                             | * 12                             | Minus                              | *** 3         | =                                                 | 9                                        |                                  | X \$220=                | 1980                                  |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                  |                                    |               |                                                   |                                          | OR                               |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                  |                                    |               |                                                   |                                          | OR                               |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  |                                    |               | TOTAL ADD'L FEE                                   |                                          |                                  | TOTAL ADD'L FEE         |                                       | <b>1980</b> |
| <b>AMENDMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                  | Total (37 CFR 1.16(i))                                                                   | *                                | Minus                              | **            | =                                                 |                                          |                                  |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Independent (37 CFR 1.16(h))                                                             | *                                | Minus                              | ***           | =                                                 |                                          |                                  |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                  |                                    |               |                                                   |                                          | OR                               |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                  |                                    |               |                                                   |                                          | OR                               |                         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  |                                    |               | TOTAL ADD'L FEE                                   |                                          |                                  | TOTAL ADD'L FEE         |                                       |             |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  |                                    |               | TOTAL ADD'L FEE                                   |                                          |                                  | TOTAL ADD'L FEE         |                                       |             |
| * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.<br>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".<br>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".<br>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1. |                                                                                          |                                  |                                    |               |                                                   |                                          |                                  |                         |                                       |             |

Legal Instrument Examiner:  
/EVELYN G. NIMMONS/

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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|          |      | 01 FC : 1201 |              | 1,980.00 DA |        |          |

|                                   |                                       |                                                             |             |
|-----------------------------------|---------------------------------------|-------------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>11/271,489 | Applicant(s)/Patent Under<br>Reexamination<br>WALTER ET AL. |             |
|                                   | Examiner<br>Min Jung                  | Art Unit<br>2472                                            | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name | Classification |
|---|---|--------------------------------------------------|-----------------|------|----------------|
|   | A | US-                                              |                 |      |                |
|   | B | US-                                              |                 |      |                |
|   | C | US-                                              |                 |      |                |
|   | D | US-                                              |                 |      |                |
|   | E | US-                                              |                 |      |                |
|   | F | US-                                              |                 |      |                |
|   | G | US-                                              |                 |      |                |
|   | H | US-                                              |                 |      |                |
|   | I | US-                                              |                 |      |                |
|   | J | US-                                              |                 |      |                |
|   | K | US-                                              |                 |      |                |
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|   | P |                                                  |                 |         |      |                |
|   | Q |                                                  |                 |         |      |                |
|   | R |                                                  |                 |         |      |                |
|   | S |                                                  |                 |         |      |                |
|   | T |                                                  |                 |         |      |                |

**NON-PATENT DOCUMENTS**

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)         |
|---|---|---------------------------------------------------------------------------------------------------|
|   | U | JP 2005-260649 (machine translation) Kakimoto Masafumi, "Radio Telephone Set", September 22, 2005 |
|   | 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.



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|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

83808 7500 10/13/2009  
AT & T Legal Department - BHGL  
Attn: Patent Docketing Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

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JUNG, MIN

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2472

|           |               |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

10/13/2009

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.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>11/271,489 | <b>Applicant(s)</b><br>WALTER ET AL. |  |
|                              | <b>Examiner</b><br>Min Jung          | <b>Art Unit</b><br>2472              |  |

**-- 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 June 2009.
- 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) 2-7, 9-14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 and 9-14 is/are allowed.
- 6) ☒ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

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

**Priority under 35 U.S.C. § 119**

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

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

**Attachment(s)**

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

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 16-18 are rejected under 35 U.S.C. 102(a) as being anticipated by Kakimoto, JP 2005-260649.

Kakimoto discloses a radio IP telephone set having a plurality of codecs.

Regarding the present claim 16, Kakimoto teaches a VoIP telephone having an adjustable codec having a plurality of codecs responsive to network conditions, the VoIP telephone comprising: a processor (DSP, [0019]); a memory unit in communication with the processor having a plurality of codecs (Kakimoto teaches IP phone having two or more voice codecs, [0013]. Although a memory unit is not specifically recited, it is an inherent feature in the IP phone taught to store the different codec algorithms); first logic executable by the processor to communicate to a second VoIP telephone using a first of the plurality of codecs (a voice codec to be used for communication is initially determined, [0017]); second logic executable by the processor for configuring the processor to detect call quality of call to the second VoIP telephone (call quality, such as delay of packet and packet loss, is detected by DSP, [0019]); third logic executable by the processor for configuring the processor to communicate with the second VoIP

Art Unit: 2472

telephone using a second of the plurality of codecs based on the detected call quality (if packet loss exceeds a predetermined value, voice codec is changed to a second codec for communication, [0020]); and wherein the first codec has a greater bandwidth than the second codec (voice codecs defined by G.711, G.726, G.729, and G.723.1 having bit rates of 64 kbps, 32kbps, 8 kbps, and 6.3 kbps, respectively, are taught, [0018]).

Further regarding claim 17, Kakimoto teaches the first codec being G.711 and the second codec being G.729 ([0018]).

Further regarding claim 18, Kakimoto teaches that the call quality is based on the number of dropped voice packets (number of packet loss, [0019] and [0020]).

### ***Allowable Subject Matter***

3. Claims 2-7 and 9-14 are allowed.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 16-18 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Min Jung whose telephone number is 571-272-3127.

The examiner can normally be reached on Monday through Friday 9:00 - 5:00.

Art Unit: 2472

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. 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.

/Min Jung/  
Primary Examiner, Art Unit 2472

|                                                                                                                        |                                                |                                                                     |
|------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br><br> | <b>Application/Control No.</b><br><br>11271489 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>WALTER ET AL. |
|                                                                                                                        | <b>Examiner</b><br><br>Min Jung                | <b>Art Unit</b><br><br>2472                                         |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |            | <input type="checkbox"/> CPA |  | <input type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |
|----------------------------------------------------------------------------------------|----------|------------|------------|------------------------------|--|-------------------------------|--|---------------------------------|--|
| CLAIM                                                                                  |          | DATE       |            |                              |  |                               |  |                                 |  |
| Final                                                                                  | Original | 12/20/2008 | 10/09/2009 |                              |  |                               |  |                                 |  |
|                                                                                        | 1        | ✓          | -          |                              |  |                               |  |                                 |  |
|                                                                                        | 2        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 3        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 4        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 5        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 6        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 7        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 8        | ✓          | -          |                              |  |                               |  |                                 |  |
|                                                                                        | 9        | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 10       | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 11       | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 12       | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 13       | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 14       | ✓          | =          |                              |  |                               |  |                                 |  |
|                                                                                        | 15       | ✓          | -          |                              |  |                               |  |                                 |  |
|                                                                                        | 16       | ✓          | ✓          |                              |  |                               |  |                                 |  |
|                                                                                        | 17       | ✓          | ✓          |                              |  |                               |  |                                 |  |
|                                                                                        | 18       | ✓          | ✓          |                              |  |                               |  |                                 |  |

|                                                                                                              |                                                |                                                                     |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>11271489 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>WALTER ET AL. |
|                                                                                                              | <b>Examiner</b><br><br>Min Jung                | <b>Art Unit</b><br><br>2472                                         |

| SEARCHED |                                                    |          |          |
|----------|----------------------------------------------------|----------|----------|
| Class    | Subclass                                           | Date     | Examiner |
| 370      | 352, 356, 229-232, 235-237, 225-228, 401, 468, 477 | 12-20-08 | MJ       |

| SEARCH NOTES         |          |          |
|----------------------|----------|----------|
| Search Notes         | Date     | Examiner |
| EAST searched.       | 12-20-08 | MJ       |
| EAST search updated. | 8-5-09   | MJ       |

| INTERFERENCE SEARCH |          |      |          |
|---------------------|----------|------|----------|
| Class               | Subclass | Date | Examiner |
|                     |          |      |          |

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

| Ref # | Hits    | Search Query         | DBs                | Default Operator | Plurals | Time Stamp          |
|-------|---------|----------------------|--------------------|------------------|---------|---------------------|
| S1    | 20825   | voip                 | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:37 |
| S2    | 373819  | voip telephone       | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:57 |
| S3    | 1065054 | quality              | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S4    | 400     | second adj codec     | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S5    | 55      | S3 same S4           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S6    | 16      | S1 and S5            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S7    | 1141    | select\$ near2 codec | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S8    | 300     | S3 same S7           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S9    | 119     | S1 and S8            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S10   | 88      | S7.ab.               | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S11   | 12      | S9 and S10           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S12   | 1       | "6754232".pn.        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:52 |
| S13   | 1       | "6801604".pn.        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |

|     |      |                                                                   |                    |    |     |                     |
|-----|------|-------------------------------------------------------------------|--------------------|----|-----|---------------------|
| S14 | 1    | "6804264".pn.                                                     | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:53 |
| S15 | 1    | "20030012137".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:53 |
| S16 | 1    | "20030016807".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:53 |
| S17 | 1    | "20030123388".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S18 | 1    | "20040002339".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S19 | 1    | "20050052996".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S20 | 1    | "20050091392".pn.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:54 |
| S21 | 9    | S12 or S13 or S14 or S15<br>or S16 or S17 or S18 or<br>S19 or S20 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>09:55 |
| S22 | 8197 | 370/352,356.ccls.                                                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:03 |
| S23 | 1614 | codec.ab.                                                         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S24 | 92   | S22 and S23                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S25 | 38   | S7 and S24                                                        | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S26 | 7    | S10 and S25                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:04 |
| S27 | 9005 | 370/229-232,235-237.<br>ccls.                                     | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:06 |
| S28 | 2    | S10 and S27                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:07 |
| S29 | 29   | S23 and S27                                                       | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |

|     |        |                       |                    |    |     |                     |
|-----|--------|-----------------------|--------------------|----|-----|---------------------|
| S30 | 11     | S7 and S29            | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S31 | 11     | S30 not S26           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S32 | 11     | S31 not S11           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:08 |
| S33 | 1270   | 370/225-228.ccls.     | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:10 |
| S34 | 0      | S10 and S33           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S35 | 0      | S23 and S33           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S36 | 0      | S7 and S33            | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S37 | 11077  | 370/401,468,477.ccls. | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:11 |
| S38 | 12     | S10 and S37           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S39 | 12     | S38 not S32           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S40 | 11     | S39 not S11           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>11:12 |
| S41 | 369097 | telephone             | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S42 | 251970 | ip                    | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S43 | 20825  | voip                  | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S44 | 255784 | S42 or S43            | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S45 | 4945   | S44 near S41          | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |

|     |         |                      |                    |    |     |                     |
|-----|---------|----------------------|--------------------|----|-----|---------------------|
| S46 | 29445   | codec                | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S47 | 206     | S45 same S46         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S48 | 5       | S47.ab.              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S49 | 750     | ip adj telephone     | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S50 | 434     | packet adj loss      | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S51 | 7       | S49 and S50          | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S52 | 2082    | codec                | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S53 | 12      | S49 and S52          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S54 | 12      | S53 not S51          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S55 | 0       | 2004-070460          | JPO                | OR | OFF | 2008/12/20<br>15:05 |
| S56 | 1       | "2004070460"         | JPO                | OR | OFF | 2008/12/20<br>15:06 |
| S57 | 133     | plurality adj2 codec | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:32 |
| S58 | 1065054 | quality              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S59 | 30      | S57 same S58         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S60 | 20825   | voip                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S61 | 7       | S59 and S60          | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S62 | 1       | "20070195749".pn.    | US-PGPUB;<br>USPAT | OR | OFF | 2009/02/11<br>09:09 |
| S63 | 2243    | voip adj telephone   | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:07 |

|     |      |                      |                    |    |     |                     |
|-----|------|----------------------|--------------------|----|-----|---------------------|
| S64 | 1313 | select\$ near2 codec | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |
| S65 | 81   | S63 and S64          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |
| S66 | 269  | S64.clm.             | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |
| S67 | 9    | S65 and S66          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:12 |
| S68 | 1    | 11/271489            | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:13 |
| S69 | 326  | adjust\$ near2 codec | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:16 |
| S70 | 42   | S69.clm.             | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:16 |
| S71 | 1    | S63 and S70          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:16 |
| S72 | 8896 | 370/352,356.ccls.    | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:18 |
| S73 | 3726 | codec.clm.           | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:18 |
| S74 | 306  | S72 and S73          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:18 |
| S75 | 31   | S63 and S74          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:18 |
| S76 | 1    | "20070195749".pn.    | US-PGPUB;<br>USPAT | OR | OFF | 2009/09/04<br>13:52 |
| S77 | 1    | "20030063569".pn.    | US-PGPUB;<br>USPAT | OR | OFF | 2009/09/04<br>15:02 |
| S78 | 1    | "20030063569".pn.    | US-PGPUB;<br>USPAT | OR | OFF | 2009/10/08<br>14:29 |
| S79 | 1    | 10/592499            | US-PGPUB;<br>USPAT | OR | OFF | 2009/10/08<br>15:08 |

|     |   |           |                        |    |     |                     |
|-----|---|-----------|------------------------|----|-----|---------------------|
| S80 | 1 | 11/271489 | US-<br>PGPUB;<br>USPAT | OR | OFF | 2009/10/08<br>15:45 |
|-----|---|-----------|------------------------|----|-----|---------------------|

**10/ 9/ 09 1:17:42 PM**

**C:\ Documents and Settings\ mjung\ My Documents\ EAST\ Workspaces\ 11271489.wsp**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Edward Walter, et al.

Appln. No.: 11/271,489

Filed: November 10, 2005

For: VOICE OVER INTERNET  
PROTOCOL CODEC  
ADJUSTMENT

Attorney Docket No: 8285-772

Examiner: Jung, Min

Art Unit: 2416

Conf. No.: 8585

**REPLY UNDER 37 C.F.R. §1.111**

In response to the Office Action mailed October 13, 2009, Applicants respectfully submit this paper comprising the following parts:

- I. **Listing of Claims**, beginning on page 2; and
- II. **Remarks**, beginning on page 10.

Applicants note that the Transmittal to which this paper is attached includes a Certificate of Electronic Transmission under 37 C.F.R. §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.

**I. Listing of Claims**

1. (Cancelled)

2. (Previously Presented)      A system comprising:

    a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

    the first interface connected to a first LAN having an interface to a first VoIP telephone;

    the second interface connected to a second LAN having an interface to a second VoIP telephone;

    the first and second VoIP telephones being configured to communicate using a first codec;

    the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec; and

    wherein the adjustment signal based on the call quality signal is sent to the first and second VoIP telephones during a telephone call between the first and second VoIP telephones.

3. (Previously Presented)      A system comprising:

    a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec; and

wherein the call quality signal is based upon a number of dropped voice packets during a VoIP telephone call.

4. (Previously Presented) A system comprising:

a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to

the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec; and

a primary WAN and a secondary WAN connection between the first LAN and the VoIP service provider system for connecting the first LAN to the VoIP service provider system, the secondary WAN provides a backup connection when the call quality signal indicates that the primary WAN is inoperative.

5. (Original) The system of claim 4, wherein a bandwidth of the secondary WAN is less than a bandwidth of the primary WAN.

6. (Original) The system of claim 4, wherein the call control gatekeeper is configured to detect and send an adjustment signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call when the primary WAN is inoperative.

7. (Previously Presented) A system comprising:  
a VoIP service provider system having a call control gatekeeper, a first interface and a second interface;

the first interface connected to a first LAN having an interface to a first VoIP telephone;

the second interface connected to a second LAN having an interface to a second VoIP telephone;

the first and second VoIP telephones being configured to communicate using a first codec;

the call control gatekeeper configured to receive a call quality signal from the first VoIP telephone and send an adjustment signal based on the call quality signal to the first and second VoIP telephones instructing the first and second VoIP telephones to communicate using a second codec;

a public switched telephone network; and

a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.

8. (Cancelled)

9. (Previously Presented) A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the quality of the VoIP telephone call is measured by a number of dropped voice packets.

10. (Previously Presented) A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the first LAN further comprises a call control gatekeeper in communication with the router configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

11. (Previously Presented) A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call;

a secondary WAN in communication with the routers of the first and second LANs for transferring the voice packets between the VoIP telephones when the primary WAN is inoperative; and

the VoIP telephones being configured to detect when the primary WAN is inoperative and change the codec of the VoIP call when the call quality signal indicates that the primary WAN is inoperative.

12. (Previously Presented) A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call; and

wherein the bandwidth of the primary WAN is greater than the bandwidth of the primary WAN.

13. (Original) The system of claim 11, wherein the first LAN further comprises a call control gatekeeper configured to receive a call quality signal from the VoIP telephone of the first LAN and send an adjustment signal based on the call quality signal to the VoIP telephones instructing the VoIP telephones to change the codec of the VoIP telephone call.

14. (Previously Presented) A system for changing a codec of a VoIP telephone call, the system comprising:

a primary WAN;

a first LAN in communication with the primary WAN;

a second LAN in communication with the primary WAN;

the first and second LANs each individually having a router, a switch in communication with the router and an interface to a VoIP telephone in

communication with the switch, where the primary WAN transmits voice packets of a VoIP telephone call between the VoIP telephones connected to the interfaces of the first and second LANs;

the VoIP telephones connected to the interfaces of the first and second LANs are configured to communicate to each other using voice packets, measure the quality of the VoIP telephone call and change a codec of the VoIP telephone call based on a measured quality of the VoIP telephone call;

a public switched telephone network; and

a gateway in communication with the router of the first LAN and the public switched telephone network, the gateway configured to provide access to the public switched telephone network from the VoIP telephone of the first LAN.

15. (Cancelled)

16. (Cancelled)

17. (Cancelled)

18. (Cancelled)

## Electronic Acknowledgement Receipt

|                                             |                                               |
|---------------------------------------------|-----------------------------------------------|
| <b>EFS ID:</b>                              | 6800176                                       |
| <b>Application Number:</b>                  | 11271489                                      |
| <b>International Application Number:</b>    |                                               |
| <b>Confirmation Number:</b>                 | 8585                                          |
| <b>Title of Invention:</b>                  | Voice over internet protocol codec adjustment |
| <b>First Named Inventor/Applicant Name:</b> | Edward Walter                                 |
| <b>Customer Number:</b>                     | 83808                                         |
| <b>Filer:</b>                               | John Alfred Lingl                             |
| <b>Filer Authorized By:</b>                 |                                               |
| <b>Attorney Docket Number:</b>              | 8285-772                                      |
| <b>Receipt Date:</b>                        | 13-JAN-2010                                   |
| <b>Filing Date:</b>                         | 10-NOV-2005                                   |
| <b>Time Stamp:</b>                          | 14:28:21                                      |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                   |

### Payment information:

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

### File Listing:

| Document Number | Document Description          | File Name                          | File Size(Bytes)/<br>Message Digest               | Multi Part /.zip | Pages (if appl.) |
|-----------------|-------------------------------|------------------------------------|---------------------------------------------------|------------------|------------------|
| 1               | Miscellaneous Incoming Letter | PTO_100113_Transmittal_8285772.pdf | 38748<br>738d64daab4c77f9c3b490270f806a9e839f0712 | no               | 1                |

### Warnings:

### Information:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                            |                                      |                                                          |            |    |
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| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                            | PTO_100113_Amendment_828<br>5772.pdf | 271274<br><br>838a8e3c8ef5696dad7c3fcc05ce13f540<br>daf7 | yes        | 10 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Multipart Description/PDF files in .zip description</b> |                                      |                                                          |            |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Document Description</b>                                |                                      | <b>Start</b>                                             | <b>End</b> |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Amendment/Req. Reconsideration-After Non-Final Reject      |                                      | 1                                                        | 1          |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Claims                                                     |                                      | 2                                                        | 9          |    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Applicant Arguments/Remarks Made in an Amendment           |                                      | 10                                                       | 10         |    |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                            |                                      |                                                          |            |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |                                      |                                                          |            |    |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |                                      | 310022                                                   |            |    |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> 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.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> 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.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> 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.</p> |                                                            |                                      |                                                          |            |    |

**II. Remarks**

Reconsideration and re-examination of this application in view of the following remarks is herein respectfully requested.

*Allowable Subject Matter*

The Examiner's indication that claims 2-7 and 9-14 are allowable is gratefully acknowledged.

*Claim Rejections - 35 U.S.C. § 102(b)*

Claims 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. JP 2005-260649, to Kakimoto ("Kakimoto"). Claims 16-18 have been cancelled rendering this rejection moot.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

January 13, 2010  
Date

/John A. Lingl/  
John A. Lingl (Reg. No. 57,414)

Attachment: None

**CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: January 13, 2010 Name: John A. Lingl Reg. No. 57,414 Signature: /John A. Lingl/

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Edward Walter, et al.

Appln. No.: 11/271,489

Filed: November 10, 2005

For: VOICE OVER INTERNET PROTOCOL  
CODEC ADJUSTMENT

Attorney Docket No.: 8285-772

Examiner: Jung, Min

Art Unit: 2416

Conf. No.: 8585

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**Attached is/are:**

☒ Reply Under 37 C.F.R. 1.111.

**Fee calculation:**

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 CFR § 1.136(a).

☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_\_).

☐ An additional filing fee has been calculated as shown below:

|                                           |                                     |       |                                    |                  | Small Entity |           |    | Not a Small Entity |           |
|-------------------------------------------|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
|                                           | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Rate         | Add'l Fee | OR | Rate               | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$26=      |           |    | x \$52=            |           |
| Indep.                                    |                                     | Minus |                                    |                  | x 110=       |           |    | x \$220=           |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$195=      |           |    | + \$390=           |           |
|                                           |                                     |       |                                    |                  | Total        | \$        |    | Total              | \$        |

**Fee payment:**

☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ for \_\_\_\_\_.

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☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 13, 2010  
Date

/John A. Lingl/  
John A. Lingl (Reg. No. 57,414)

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| <b>PATENT APPLICATION FEE DETERMINATION RECORD</b><br>Substitute for Form PTO-875                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                  |                                                                                                                                                                                                                               |               | Application or Docket Number<br><b>11/271,489</b> |                                          | Filing Date<br><b>11/10/2005</b> |                         | <input type="checkbox"/> To be Mailed |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------|------------------------------------------|----------------------------------|-------------------------|---------------------------------------|---|
| <b>APPLICATION AS FILED – PART I</b>                                                                                                                                                                                                                                                                                                                                                                              |                                                                                          |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  | (Column 2)                                                                                                                                                                                                                    |               |                                                   | SMALL ENTITY <input type="checkbox"/> OR |                                  | OTHER THAN SMALL ENTITY |                                       |   |
| FOR                                                                                                                                                                                                                                                                                                                                                                                                               | NUMBER FILED                                                                             | NUMBER EXTRA                     | RATE (\$)                                                                                                                                                                                                                     | FEE (\$)      | OR                                                | RATE (\$)                                | FEE (\$)                         |                         |                                       |   |
| <input checked="" type="checkbox"/> BASIC FEE<br>(37 CFR 1.16(a), (b), or (c))                                                                                                                                                                                                                                                                                                                                    | N/A                                                                                      | N/A                              | N/A                                                                                                                                                                                                                           |               |                                                   | N/A                                      | <b>300</b>                       |                         |                                       |   |
| <input type="checkbox"/> SEARCH FEE<br>(37 CFR 1.16(k), (l), or (m))                                                                                                                                                                                                                                                                                                                                              | N/A                                                                                      | N/A                              | N/A                                                                                                                                                                                                                           |               |                                                   | N/A                                      |                                  |                         |                                       |   |
| <input type="checkbox"/> EXAMINATION FEE<br>(37 CFR 1.16(o), (p), or (q))                                                                                                                                                                                                                                                                                                                                         | N/A                                                                                      | N/A                              | N/A                                                                                                                                                                                                                           |               |                                                   | N/A                                      |                                  |                         |                                       |   |
| TOTAL CLAIMS<br>(37 CFR 1.16(i))                                                                                                                                                                                                                                                                                                                                                                                  | minus 20 =                                                                               | *                                | X \$ =                                                                                                                                                                                                                        |               | OR                                                | X \$ =                                   |                                  |                         |                                       |   |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(h))                                                                                                                                                                                                                                                                                                                                                                            | minus 3 =                                                                                | *                                | X \$ =                                                                                                                                                                                                                        |               |                                                   | X \$ =                                   |                                  |                         |                                       |   |
| <input type="checkbox"/> APPLICATION SIZE FEE<br>(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). |               |                                                   |                                          |                                  |                         |                                       |   |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  | TOTAL                                                                                                                                                                                                                         |               |                                                   | TOTAL                                    | <b>300</b>                       |                         |                                       |   |
| * If the difference in column 1 is less than zero, enter "0" in column 2.                                                                                                                                                                                                                                                                                                                                         |                                                                                          |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
| <b>APPLICATION AS AMENDED – PART II</b>                                                                                                                                                                                                                                                                                                                                                                           |                                                                                          |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  | (Column 2)                                                                                                                                                                                                                    |               |                                                   | SMALL ENTITY OR                          |                                  | OTHER THAN SMALL ENTITY |                                       |   |
| <b>AMENDMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                  | <b>01/13/2010</b>                                                                        | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR                                                                                                                                                                                            | PRESENT EXTRA | RATE (\$)                                         | ADDITIONAL FEE (\$)                      | OR                               | RATE (\$)               | ADDITIONAL FEE (\$)                   |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Total (37 CFR 1.16(i))                                                                   | * 12                             | Minus                                                                                                                                                                                                                         | ** 20         | = 0                                               | X \$ =                                   |                                  | OR                      | X \$52=                               | 0 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Independent (37 CFR 1.16(h))                                                             | * 4                              | Minus                                                                                                                                                                                                                         | *** 12        | = 0                                               | X \$ =                                   |                                  | OR                      | X \$220=                              | 0 |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                          |                                  |                                                                                                                                                                                                                               |               | TOTAL ADD'L FEE                                   |                                          | OR                               | TOTAL ADD'L FEE         | <b>0</b>                              |   |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                  | (Column 2)                                                                                                                                                                                                                    |               |                                                   | SMALL ENTITY OR                          |                                  | OTHER THAN SMALL ENTITY |                                       |   |
| <b>AMENDMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                  | Total (37 CFR 1.16(i))                                                                   | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR                                                                                                                                                                                            | PRESENT EXTRA | RATE (\$)                                         | ADDITIONAL FEE (\$)                      | OR                               | RATE (\$)               | ADDITIONAL FEE (\$)                   |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | Independent (37 CFR 1.16(h))                                                             | *                                | Minus                                                                                                                                                                                                                         | **            | =                                                 | X \$ =                                   |                                  | OR                      | X \$ =                                |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> 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.<br>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".<br>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".<br>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1. |                                                                                          |                                  |                                                                                                                                                                                                                               |               |                                                   |                                          |                                  |                         |                                       |   |

Legal Instrument Examiner:  
/GLORIA TRAMMELL/

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PAPER NUMBER

2472

DATE MAILED: 02/16/2010

| APPLICATION NO.                                                   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 11/271,489                                                        | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |
| TITLE OF INVENTION: VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT |             |                      |                     |                  |

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 05/17/2010 |

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

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

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

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

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

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

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

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

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.

83808 7590 02/16/2010  
AT & T Legal Department - BHGL  
Attn: Patent Docketing Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

TITLE OF INVENTION: VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 05/17/2010 |

| EXAMINER  | ART UNIT | CLASS-SUBCLASS |
|-----------|----------|----------------|
| JUNG, MIN | 2472     | 370-230000     |

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

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

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

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

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

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

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

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

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

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

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

83808 7590 02/16/2010

AT & T Legal Department - BHGL  
Attn: Patent Docketing Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

EXAMINER

JUNG, MIN

ART UNIT

PAPER NUMBER

2472

DATE MAILED: 02/16/2010

## 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 627 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 627 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.

|                               |                        |                     |  |
|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 11/271,489             | WALTER ET AL.       |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Min Jung               | 2472                |  |

**-- 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 Amendment filed January 13, 2010.
2. ☒ The allowed claim(s) is/are 2-7, 9-11, 13, 12, and 14 (renumbered as 1-12, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                            |                                                                                       |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                           | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|                                                                                                            | 9. <input type="checkbox"/> Other ____.                                               |

/Min Jung/  
Primary Examiner, Art Unit 2472

|                                                                                                              |                                                |                                                                     |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>11271489 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>WALTER ET AL. |
|                                                                                                              | <b>Examiner</b><br><br>Min Jung                | <b>Art Unit</b><br><br>2472                                         |

| SEARCHED |                                                    |          |          |
|----------|----------------------------------------------------|----------|----------|
| Class    | Subclass                                           | Date     | Examiner |
| 370      | 352, 356, 229-232, 235-237, 225-228, 401, 468, 477 | 12-20-08 | MJ       |

| SEARCH NOTES         |          |          |
|----------------------|----------|----------|
| Search Notes         | Date     | Examiner |
| EAST searched.       | 12-20-08 | MJ       |
| EAST search updated. | 8-5-09   | MJ       |
| EAST search updated. | 2-4-10   | MJ       |

| INTERFERENCE SEARCH |          |        |          |
|---------------------|----------|--------|----------|
| Class               | Subclass | Date   | Examiner |
| 370                 | 230, 356 | 2-4-10 | MJ       |

|  |  |
|--|--|
|  |  |
|--|--|

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits    | Search Query                | DBs                | Default Operator | Plurals | Time Stamp          |
|-------|---------|-----------------------------|--------------------|------------------|---------|---------------------|
| S1    | 20825   | voip                        | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:37 |
| S2    | 373819  | voip telephone              | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:57 |
| S3    | 1065054 | quality                     | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S4    | 400     | second adj codec            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S5    | 55      | S3 same S4                  | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S6    | 16      | <u>S1 and S5</u>            | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>08:58 |
| S7    | 1141    | <u>select\$ near2 codec</u> | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S8    | 300     | S3 same S7                  | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:21 |
| S9    | 119     | S1 and S8                   | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S10   | 88      | S7.ab.                      | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S11   | 12      | S9 and S10                  | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:22 |
| S12   | 1       | "6754232".pn.               | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:52 |
| S13   | 1       | "6801604".pn.               | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |
| S14   | 1       | "6804264".pn.               | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |
| S15   | 1       | "20030012137".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |
| S16   | 1       | "20030016807".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:53 |
| S17   | 1       | "20030123388".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:54 |
| S18   | 1       | "20040002339".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:54 |
| S19   | 1       | "20050052996".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:54 |
| S20   | 1       | "20050091392".pn.           | US-PGPUB;<br>USPAT | OR               | OFF     | 2008/12/20<br>09:54 |

|                |                  |                                                             |                                |    |                |                                 |
|----------------|------------------|-------------------------------------------------------------|--------------------------------|----|----------------|---------------------------------|
| S21            | 9                | S12 or S13 or S14 or S15 or S16 or S17 or S18 or S19 or S20 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>09:55             |
| S22            | 8197             | 370/352,356.ccls.                                           | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:03             |
| S23            | 1614             | codec.ab.                                                   | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:04             |
| <del>S24</del> | 92               | <del>S22 and S23</del>                                      | <del>US-PGPUB;<br/>USPAT</del> | OR | <del>OFF</del> | <del>2008/12/20<br/>11:04</del> |
| S25            | 38               | S7 and S24                                                  | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:04             |
| S26            | 7                | S10 and S25                                                 | US-PGPUB;<br>USPAT             | OR | <del>OFF</del> | <del>2008/12/20<br/>11:04</del> |
| S27            | <del>9005</del>  | 370/229-232,235-237.<br>ccls.                               | US-PGPUB;<br>USPAT             | OR | OFF            | <del>2008/12/20<br/>11:06</del> |
| S28            | 2                | S10 and S27                                                 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:07             |
| S29            | 29               | <del>S23 and S27</del>                                      | <del>US-PGPUB;<br/>USPAT</del> | OR | OFF            | <del>2008/12/20<br/>11:08</del> |
| S30            | 11               | S7 and S29                                                  | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:08             |
| S31            | 11               | S30 not S26                                                 | US-PGPUB;<br>USPAT             | OR | <del>OFF</del> | <del>2008/12/20<br/>11:08</del> |
| S32            | 11               | S31 not S11                                                 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:08             |
| S33            | 1270             | 370/225-228.ccls.                                           | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:10             |
| S34            | 0                | S10 and S33                                                 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:11             |
| S35            | 0                | S23 and S33                                                 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:11             |
| S36            | 0                | <del>S7 and S33</del>                                       | <del>US-PGPUB;<br/>USPAT</del> | OR | OFF            | <del>2008/12/20<br/>11:11</del> |
| S37            | 11077            | 370/401,468,477.ccls.                                       | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:11             |
| S38            | 12               | S10 and S37                                                 | US-PGPUB;<br>USPAT             | OR | <del>OFF</del> | <del>2008/12/20<br/>11:12</del> |
| S39            | 12               | S38 not S32                                                 | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>11:12             |
| <del>S40</del> | 11               | S39 not S11                                                 | <del>US-PGPUB;<br/>USPAT</del> | OR | <del>OFF</del> | <del>2008/12/20<br/>11:12</del> |
| S41            | 369097           | telephone                                                   | US-PGPUB;<br>USPAT             | OR | OFF            | 2008/12/20<br>14:39             |
| <del>S42</del> | 251970           | ip                                                          | <del>US-PGPUB;<br/>USPAT</del> | OR | <del>OFF</del> | <del>2008/12/20<br/>14:39</del> |
| S43            | <del>20825</del> | voip                                                        | <del>US-PGPUB;<br/>USPAT</del> | OR | OFF            | <del>2008/12/20<br/>14:39</del> |

|     |         |                      |                    |    |     |                     |
|-----|---------|----------------------|--------------------|----|-----|---------------------|
| S44 | 255784  | S42 or S43           | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:39 |
| S45 | 4945    | S44 near S41         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S46 | 29445   | codec                | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S47 | 206     | S45 same S46         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S48 | 5       | S47.ab.              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>14:40 |
| S49 | 750     | ip adj telephone     | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S50 | 434     | packet adj loss      | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S51 | 7       | S49 and S50          | JPO                | OR | OFF | 2008/12/20<br>14:55 |
| S52 | 2082    | codec                | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S53 | 12      | S49 and S52          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S54 | 12      | S53 not S51          | JPO                | OR | OFF | 2008/12/20<br>15:01 |
| S55 | 0       | 2004-070460          | JPO                | OR | OFF | 2008/12/20<br>15:05 |
| S56 | 1       | "2004070460"         | JPO                | OR | OFF | 2008/12/20<br>15:06 |
| S57 | 133     | plurality adj2 codec | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:32 |
| S58 | 1065054 | quality              | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S59 | 30      | S57 same S58         | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S60 | 20825   | voip                 | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S61 | 7       | S59 and S60          | US-PGPUB;<br>USPAT | OR | OFF | 2008/12/20<br>17:33 |
| S62 | 1       | "20070195749".pn.    | US-PGPUB;<br>USPAT | OR | OFF | 2009/02/11<br>09:09 |
| S63 | 2243    | voip adj telephone   | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:07 |
| S64 | 1313    | select\$ near2 codec | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |
| S65 | 81      | S63 and S64          | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |
| S66 | 269     | S64.clm.             | US-PGPUB;<br>USPAT | OR | ON  | 2009/08/05<br>14:11 |

|            |                 |                               |                               |    |     |                            |
|------------|-----------------|-------------------------------|-------------------------------|----|-----|----------------------------|
| S67        | 9               | S65 and S66                   | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:12        |
| S68        | 1               | 11/271489                     | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:13        |
| S69        | 326             | adjust\$ near2 codec          | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:16        |
| S70        | 42              | S69.clm.                      | US-PGPUB;<br>USPAT            | OR | ON  | <u>2009/08/05</u><br>14:16 |
| S71        | 1               | S63 and S70                   | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:16        |
| <u>S72</u> | <del>8896</del> | 370/352,356.ccls.             | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:18        |
| S73        | 3726            | codec.clm.                    | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:18        |
| S74        | 306             | S72 and S73                   | US-PGPUB;<br>USPAT            | OR | ON  | 2009/08/05<br>14:18        |
| S75        | 31              | S63 and S74                   | <del>US-PGPUB;</del><br>USPAT | OR | ON  | <u>2009/08/05</u><br>14:18 |
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| S77        | 1               | "20030063569".pn.             | US-PGPUB;<br>USPAT            | OR | OFF | 2009/09/04<br>15:02        |
| S78        | 1               | "20030063569".pn.             | US-PGPUB;<br>USPAT            | OR | OFF | 2009/10/08<br>14:29        |
| S79        | 1               | 10/592499                     | US-PGPUB;<br>USPAT            | OR | OFF | 2009/10/08<br>15:08        |
| S80        | 1               | 11/271489                     | US-PGPUB;<br>USPAT            | OR | OFF | 2009/10/08<br>15:45        |
| S81        | 28257           | voip                          | US-PGPUB;<br>USPAT            | OR | OFF | 2010/02/04<br>10:24        |
| S82        | <u>28259</u>    | voip                          | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:25        |
| S83        | 38116           | codec                         | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:25        |
| S84        | 5066            | S82 and S83                   | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:25        |
| S85        | 12036           | packet adj loss               | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:25        |
| S86        | 1167            | S84 and S85                   | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:25        |
| S87        | 9609            | 370/352,356.ccls.             | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:26        |
| S88        | 10667           | 370/229-232,235-237.<br>ccls. | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:26        |
| <u>S89</u> | 1499            | 370/225-228.ccls.             | US-PGPUB;<br>USPAT            | OR | ON  | 2010/02/04<br>10:27        |

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| S90        | 1870591      | S87 or S88 or "90"                 | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:28 |
| S91        | <u>21259</u> | S87 or S88 or S89                  | <del>US-PGPUB;</del><br>USPAT | OR | ON | 2010/02/04<br>10:28 |
| S92        | 3982         | S83.clm.                           | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:46 |
| S93        | 389          | <u>S91 and S92</u>                 | <del>US-PGPUB;</del><br>USPAT | OR | ON | 2010/02/04<br>10:46 |
| S94        | 3873         | S82.clm.                           | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:46 |
| <u>S95</u> | 85           | <u>S93 and S94</u>                 | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:47 |
| S96        | 1543         | S85.clm.                           | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:47 |
| S97        | 14           | S95 and S96                        | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:47 |
| S98        | 2            | call adj control adj<br>gatekeeper | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:55 |
| S99        | 16812        | call adj control                   | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:56 |
| S100       | <u>2650</u>  | S99.clm.                           | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:56 |
| S101       | 26           | S93 and S100                       | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:57 |
| S102       | 1543         | S85.clm.                           | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:57 |
| S103       | 1            | S101 and S102                      | US-PGPUB;<br>USPAT            | OR | ON | 2010/02/04<br>10:57 |

2/ 4/ 10 2:37:26 PM

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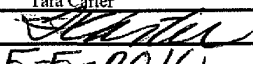
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|                                                                                    |                    |
|------------------------------------------------------------------------------------|--------------------|
| Tara Carter                                                                        | (Depositor's name) |
|  | (Signature)        |
| 5-5-2010                                                                           | (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

TITLE OF INVENTION: VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 05/17/2010 |

| EXAMINER  | ART UNIT | CLASS-SUBCLASS |
|-----------|----------|----------------|
| JUNG, MIN | 2472     | 370-230000     |

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☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

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

AT&T Intellectual Property I, L.P. formerly known  
 as SBC Knowledge Ventures, L.P.

Reno, Nevada

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group/entity ☐ Government

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

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Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name Kin-Wah Tong

Registration No. 39,400

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Tara Carter (Depositor's name)  
 [Signature] (Signature)  
 5-5-2010

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 11/271,489      | 11/10/2005  | Edward Walter        | 8285-772            | 8585             |

TITLE OF INVENTION: VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE  | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATED DUE  |
|----------------|--------------|----------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510         | \$300               | \$0                  | \$1810           | 05/17/2010 |
| EXAMINER       | ART UNIT     | CLASS-SUBCLASS |                     |                      |                  |            |
| JUNG, MIN      | 2472         | 370-230000     |                     |                      |                  |            |

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### (A) NAME OF ASSIGNEE

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

Reno, Nevada

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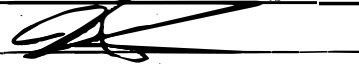
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 Typed or printed name Kin-Wah Tong

Date 5/4/10  
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| <b>EFS ID:</b>                              | 7555095                                       |
| <b>Application Number:</b>                  | 11271489                                      |
| <b>International Application Number:</b>    |                                               |
| <b>Confirmation Number:</b>                 | 8585                                          |
| <b>Title of Invention:</b>                  | VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT |
| <b>First Named Inventor/Applicant Name:</b> | Edward Walter                                 |
| <b>Customer Number:</b>                     | 83808                                         |
| <b>Filer:</b>                               | Kin-Wah Tong                                  |
| <b>Filer Authorized By:</b>                 |                                               |
| <b>Attorney Docket Number:</b>              | 8285-772                                      |
| <b>Receipt Date:</b>                        | 05-MAY-2010                                   |
| <b>Filing Date:</b>                         | 10-NOV-2005                                   |
| <b>Time Stamp:</b>                          | 14:04:10                                      |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                   |

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| Payment was successfully received in RAM | \$1813      |
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| 2 | Fee Worksheet (PTO-875) | fee-info.pdf | 33530                                    | no | 2 |
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| Electronic Patent Application Fee Transmittal |          |                                               |        |                      |
|-----------------------------------------------|----------|-----------------------------------------------|--------|----------------------|
| Application Number:                           |          | 11271489                                      |        |                      |
| Filing Date:                                  |          | 10-Nov-2005                                   |        |                      |
| Title of Invention:                           |          | VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT |        |                      |
| First Named Inventor/Applicant Name:          |          | Edward Walter                                 |        |                      |
| Filer:                                        |          | Kin-Wah Tong                                  |        |                      |
| Attorney Docket Number:                       |          | 8285-772                                      |        |                      |
| 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:              |          |                                               |        |                      |
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| Utility Appl issue fee                        | 1501     | 1                                             | 1510   | 1510                 |
| Publ. Fee- early, voluntary, or normal        | 1504     | 1                                             | 300    | 300                  |

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| <b>Miscellaneous:</b>             |          |          |        |                      |
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| APPLICATION NO. | ISSUE DATE | PATENT NO. | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|------------|------------|---------------------|------------------|
| 11/271,489      | 06/15/2010 | 7738368    | 8285-772            | 8585             |

83808 7590 05/26/2010  
AT & T Legal Department - BHGL  
Attn: Patent Docketing Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

## 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 1166 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>).

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

Edward Walter, Boerne, TX;  
Matthew Bruening, San Antonio, TX;

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|---------------------------------------------|-----------------------------------------------|
| <b>EFS ID:</b>                              | 8674303                                       |
| <b>Application Number:</b>                  | 11271489                                      |
| <b>International Application Number:</b>    |                                               |
| <b>Confirmation Number:</b>                 | 8585                                          |
| <b>Title of Invention:</b>                  | VOICE OVER INTERNET PROTOCOL CODEC ADJUSTMENT |
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| <b>Customer Number:</b>                     | 83808                                         |
| <b>Filer:</b>                               | Kin-Wah Tong/Laura Crater                     |
| <b>Filer Authorized By:</b>                 | Kin-Wah Tong                                  |
| <b>Attorney Docket Number:</b>              | 8285-772                                      |
| <b>Receipt Date:</b>                        | 21-OCT-2010                                   |
| <b>Filing Date:</b>                         | 10-NOV-2005                                   |
| <b>Time Stamp:</b>                          | 15:31:28                                      |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                   |

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| Submitted with Payment | no |
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| Document Number | Document Description | File Name               | File Size(Bytes)/<br>Message Digest                    | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|-------------------------|--------------------------------------------------------|------------------|------------------|
| 1               |                      | ATT_PD1061ePOA_3_73.pdf | 189514<br>56fbfb6fbc80cab786912ef7f074f83a4e2f1e<br>f2 | yes              | 2                |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                            |              |            |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Multipart Description/PDF files in .zip description</b> |              |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Document Description</b>                                | <b>Start</b> | <b>End</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Power of Attorney                                          | 1            | 1          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Assignee showing of ownership per 37 CFR 3.73(b).          | 2            | 2          |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                            |              |            |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |              |            |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                            |              | 189514     |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> 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.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> 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.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> 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.</p> |                                                            |              |            |

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer Number:

83811

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
|      |                     |      |                     |
|      |                     |      |                     |
|      |                     |      |                     |
|      |                     |      |                     |
|      |                     |      |                     |

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

83811

OR

|                                                  |       |     |  |
|--------------------------------------------------|-------|-----|--|
| <input type="checkbox"/> Firm or Individual Name |       |     |  |
| Address                                          |       |     |  |
| City                                             | State | Zip |  |
| Country                                          |       |     |  |
| Telephone                                        | Email |     |  |

Assignee Name and Address:

SBC Knowledge Ventures, L.P., by name change now AT&T Intellectual Property I, L.P., 645 E. Plumb Lane, Reno, Nevada 89502

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

### SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

|           |                                                                                                       |           |          |
|-----------|-------------------------------------------------------------------------------------------------------|-----------|----------|
| Signature | <i>Deborah W. Perantoni</i>                                                                           | Date      | 10/5/10  |
| Name      | Deborah W. Perantoni                                                                                  | Telephone | 442-3884 |
| Title     | Asst Sec, AT&T Intellectual Property I, L.P. by its General Partner, AT&T Intellectual Property, Inc. |           |          |

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: SBC Knowledge Ventures, L.P., by name change now AT&T Intellectual Property I, L.P.Application No./Patent No.: 11/271,489/7,738,368Filed/Issue Date: 11/10/2005/06/15/2010AT&T Intellectual Property I, L.P., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest
- The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent applications/patents identified above. The assignments were recorded in the United States Patent and Trademark Office at Reel 017203, Frame 0489.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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

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

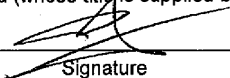
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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

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

**[NOTE:** A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

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

  
Signature

10/21/10  
Date

Kin-Wah Tong (Reg. No. 39,400)  
Printed or Typed Name

(732) 542-2280  
Telephone Number

Attorney of Record  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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



# UNITED STATES PATENT AND TRADEMARK OFFICE

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

| APPLICATION NUMBER | FILING OR 371 (C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------------------|-----------------------|------------------------|
| 11/271,489         | 11/10/2005             | Edward Walter         | 8285-772               |

83811  
AT & T LEGAL DEPARTMENT - WT  
PATENT DOCKETING  
ROOM 2A-207, ONE AT& T WAY  
BEDMINSTER, NJ 07921

**CONFIRMATION NO. 8585**  
**POA ACCEPTANCE LETTER**



0C000000044211804

Date Mailed: 10/29/2010

## NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/21/2010.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/fstephanos/

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



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United States Patent and Trademark Office  
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P.O. Box 1450  
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| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 11/271,489         | 11/10/2005            | Edward Walter         | 8285-772               |

83808  
AT & T Legal Department - BHGL  
Attn: Patent Docketing Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

**CONFIRMATION NO. 8585**  
**POWER OF ATTORNEY NOTICE**



Date Mailed: 10/29/2010

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 10/21/2010.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/fstephanos/

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



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

| APPLICATION NUMBER | PATENT NUMBER | GROUP ART UNIT | FILE WRAPPER LOCATION |
|--------------------|---------------|----------------|-----------------------|
| 11/271,489         | 7738368       | 2472           | 9200                  |



## Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 26652 on 03/28/2011

- Correspondence Address
- Maintenance Fee Address
- Power of Attorney Address

The address of record for Customer Number 26652 is:

26652  
AT&T CORP.  
ROOM 2A207  
ONE AT&T WAY  
BEDMINSTER, NJ 07921