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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	02/26/2013	8381974	120083-184655	4323

60172 7590 02/06/2013
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

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 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

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

Peter Zatloukal, Kirkland, WA;
G. Eric Engstrom, Kirkland, WA;
Cindy M. Smith, Kirkland, WA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IR103 (Rev. 10/09)

APPLE 1002

Cover **544** may form a part of housing **542**, i.e. a required element to complete phone **540**, or it may be an accessory to be adorned by phone **540**, i.e. not a required element to complete phone **540**.

In all or selected one(s) of these embodiments, some or all elements **106** in support of the RFID feature of the present invention may be provided through embedded electronic components of the housing/accessory covers.

Smart covers are the subject matters of subject matter of co-pending U.S. Application, number 10/087,098, filed March 1, 2002, entitled "Personalizing Electronic Devices and Smart Covering", and U.S. Application, number ~~<insert>~~ 10/428,815, filed May 2, 2003, entitled "Personalization of Mobile Electronic Devices and Smart Accessory Cover", which specifications are hereby fully incorporated by reference.

Change(s) applied to document, /M.C.E./ 1/7/2013

While all three embodiments of **Fig. 5a-5d** have been illustrated with smart covers and external antennas. In alternate embodiments, the present invention may be practiced without smart covers and/or external antennas. The present invention may be practiced with conventional covers, without embedded intelligence and/or internal antennas.

Transceiver

Figure 4 illustrates transceiver **308** of **Fig. 3** in further details, in accordance with one embodiment. As illustrated, for the embodiment, transceiver **308** includes a joint radio frequency (RF) transmit/receive (TX/RX) section **402**, separate signal processing sections **408** and **410** for a range of higher frequencies and a range of low frequencies, switch **404** and splitter **406**. The elements are coupled to each other as shown.

For the embodiment, joint RF TX/RX **402** includes in particular, switch **420**, filters **412** and **422**, low noise amplifier **424** and power amplifier **414**, coupled to one another as shown. Switch **420** is employed to switch between transmitting and receiving RF signals. Filters **412** and **422**, low noise amplifier **424** and power amplifier **414** are employed to perform their conventional filtering and amplification functions on the transmit and receive signals.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

60172 7590 11/27/2012
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

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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.

Enoy Lawless	(Depositor's name)
/Enoy Lawless/	(Signature)
January 25, 2013	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	01/31/2012	Peter Zatloukal	120083-184655	4323

TITLE OF INVENTION: EMULATED RADIO FREQUENCY IDENTIFICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$300	$0	$1185	02/27/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
WALSH, DANIEL I	2887	235-380000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

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

1 Schwabe, Williamson & Wyatt, P.C.
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: Varia Holdings LLC
(B) RESIDENCE: (CITY and STATE OR COUNTRY): Brooklyn, NY

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 500393 ~~(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 /Ryan C. Fox-Lee/ Date January 25, 2013

Typed or printed name Ryan C. Fox-Lee Registration No. 65369

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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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Examiner: Walsh, Daniel I.
Zatloukal, et al.	Art Group: 2887
Application No.: 13/363,202	Confirmation No.: 4323
Filed: January 31, 2012	
For: EMULATED RADIO FREQUENCY IDENTIFICATION	

MAIL STOP ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Examiner provided a Statement of Reasons for Allowance on page 2-3 of the Notice of Allowability mailed November 27, 2012.

The Examiner's statements of reasons for allowance of the above-referenced patent application are acknowledged and it is agreed that the claimed subject matter is patentable. However, no position is taken regarding the reasons for allowance presented by the Examiner other than the positions which may have previously taken during prosecution. Therefore, the Examiner's reasons for allowance should not be attributed as an indication of the basis of belief that the claims are patentable. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record and no rights are waived to such arguments by not further addressing such reasons herein.

It is additionally noted herein for the record that to the extent that there may be differences between the language used by the Examiner in the statements of reasons for allowance to explain allowability, versus the actual language recited in the claims, it is the actual language recited in the claims that determines the scopes thereof.

It is further noted herein for the record that the claims recite other features that are distinct, alternatively or additionally to those specifically identified by the Examiner in the reasons for allowance.

In view of at least the above, the scopes of the claims are not to be limited by the reasons of allowance.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: January 25, 2013

By: /Ryan C. Fox-Lee/
Ryan C. Fox-Lee
Reg. No.: 65,369

Pacwest Center, Suite 1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

Electronic Patent Application Fee Transmittal

Application Number:	13363202
Filing Date:	31-Jan-2012
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Filer:	Ryan C. Fox-Lee/Enoy Lawless
Attorney Docket Number:	120083-184655

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	885	885
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**1185**

Electronic Acknowledgement Receipt	
EFS ID:	14799578
Application Number:	13363202
International Application Number:	
Confirmation Number:	4323
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Customer Number:	60172
Filer:	Ryan C. Fox-Lee/Enoy Lawless
Filer Authorized By:	Ryan C. Fox-Lee
Attorney Docket Number:	120083-184655
Receipt Date:	25-JAN-2013
Filing Date:	31-JAN-2012
Time Stamp:	20:29:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1185
RAM confirmation Number	10367
Deposit Account	500393
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees) Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	Varia_P064C_issue-fee-trans_01_25_13.pdf	574129 327c580b83f2ad10af7fc328e879fdf28e8ba8d0	no	1
Warnings:					
Information:					
2	Post Allowance Communication - Incoming	Varia_P064C_comments-allowance_01_25_13.pdf	23719 4a2ff2a95e7da26e422912d7b453188d868fe614	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31786 89d048b598f4f27b719f2e8a109f8dcc64f047b0	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	629634	

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

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

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

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/363,202	01/31/2012	Peter Zatloukal	120083-184655

CONFIRMATION NO. 4323

POA ACCEPTANCE LETTER

60172
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

OC000000057855570

Date Mailed: 11/30/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/20/2012.

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.

/snguyen/

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

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	13/363,202	ZATLOUKAL ET AL.

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 20 NOV 2012	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

JAB

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NOTICE OF ALLOWANCE AND FEE(S) DUE

60172 7590 11/27/2012
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
WALSH, DANIEL I

ART UNIT	PAPER NUMBER
2887	

DATE MAILED: 11/27/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	01/31/2012	Peter Zatloukal	120083-184655	4323

TITLE OF INVENTION: EMULATED RADIO FREQUENCY IDENTIFICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$300	$0	$1185	02/27/2013

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

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

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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.

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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.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	01/31/2012	Peter Zatloukal	120083-184655	4323

TITLE OF INVENTION: EMULATED RADIO FREQUENCY IDENTIFICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$885	$300	$0	$1185	02/27/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
WALSH, DANIEL I	2887	235-380000

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

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

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

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

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

1_____
2_____
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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	01/31/2012	Peter Zatloukal	120083-184655	4323

60172 7590 11/27/2012
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
WALSH, DANIEL I

ART UNIT	PAPER NUMBER
2887	

DATE MAILED: 11/27/2012

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 0 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 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)	
	13/363,202	ZATLOUKAL ET AL.	
	Examiner	Art Unit	
	DANIEL WALSH	2887	

-- 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 *9-18-12*.

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

3. ☒ The allowed claim(s) is/are *61-79*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

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

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

Attachment(s)

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

DETAILED ACTION

Allowable Subject Matter

1. Claims 61-79 are allowed.

2. The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach a method for providing a radio frequency identification (RFID) from a switchable mobile communications device capable RFID communication and voice call communication, the method comprising: receiving, by the mobile communications device, an instruction to transmit first RFID transponder data; switching a transceiver of the mobile communications device from a firs:: state to a second state upon reception of said instruction, the transceiver configured to output voice call signals in the first state and to output RFID transponder signals in the second stale; and outputting the first RFID transponder data, by the transceiver as an RFID transponder signal (re claim 61), a method for providing a radio frequency identifier (RFID), from a switchable mobile communications device capable of RFID communication and voice call communication, the method comprising: monitoring, by the mobile communication device, the proximal presence of a proximal RFID reader, the mobile communication device having a transceiver configured, to output, in a first state, RFID {transponder data to be received by the proximal RFID reader upon the mobile communications device determining proximal presence of one or more RFID readers, the transceiver being also configured to output, in a second state, a voice call signal for transmission at least in part over a wireless network; and on detection of the RFlD reader, outputting, by the transceiver, the RFID transponder data as a radio frequency signal (re claim 68), and a switchable mobile

communication device capable of RFID communication and voice call communication, the mobile communication device comprising: a transmitter configured to transmit a radio frequency signal, the transmitter comprising a first signal processing section and a second signal processing section, the first signal processing section configured to output voice call signals in a first radio frequency range and the second signal processing section configured to output RFID transponder signals in a second radio frequency range; a storage medium to store a first data and instructions to: monitor for proximal presence of one or more RFID readers; and operate the transmitter to switch between the first and second signal processing sections to selectively: (a) output first RFID transponder data as said RFID transponder signals in response to detection by the mobile communications device of the proximal RFID reader, and (b) output a voice call signal for transmission over a wireless network; and a processor coupled to the transmitter and the storage to execute the instructions.

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

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL WALSH whose telephone number is (571)272-2409. The examiner can normally be reached on M-F 9am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Paik can be reached on 571-272-2404. 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.

/DANIEL WALSH/
Primary Examiner, Art Unit 2887

Notice of References Cited	Application/Control No. 13/363,202	Applicant(s)/Patent Under Reexamination ZATLOUKAL ET AL.	
	Examiner DANIEL WALSH	Art Unit 2887	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2005/0184856 A1	08-2005	Pourchot, Shawn C.	340/005.61
*	B	US-2007/0032261 A1	02-2007	Boyer et al.	455/550.1
*	C	US-2008/0018433 A1	01-2008	Pitt-Pladdy, Glen	340/10.4
*	D	US-8,127,984 B2	03-2012	Zatloukal et al.	235/380
*	E	US-2012/0133483 A1	05-2012	Zatloukal et al.	340/5.7
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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BIB DATA SHEET

CONFIRMATION NO. 4323

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/363,202	01/31/2012 **RULE**	235	2887	120083-184655

APPLICANTS

Peter Zatloukal, Kirkland, WA;
G. Eric Engstrom, Kirkland, WA;
Cindy M. Smith, Kirkland, WA;

**** CONTINUING DATA ***************************

This application is a CON of 10/560,262 12/09/2005 PAT 8,127,984
which is a 371 of PCT/US04/18397 06/10/2004
which claims benefit of 60/478,245 06/13/2003

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
02/13/2012

Foreign Priority claimed	☐ Yes ☑ No		STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
35 USC 119(a-d) conditions met	☐ Yes ☑ No	☐ Met after Allowance	WA	12	19	3
Verified and Acknowledged	/DANIEL I WALSH/ Examiner's Signature	dw Initials				

ADDRESS

SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010
UNITED STATES

TITLE

EMULATED RADIO FREQUENCY IDENTIFICATION

FILING FEE RECEIVED		
530	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

BIB (Rev. 05/07).

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	2067	transceiver near3 (switch$4 or chang$4 or alter$5) with (mode or setting)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/20 16:35
S2	7	transceiver near3 (switch$4 or chang$4 or alter$5) with (mode or setting) same (voice or telephone or call$4) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:15
S3	252909	transceiver with3 (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) same (voice or telephone or call$4) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:22
S4	19	transceiver with (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) same (voice or telephone or call$4) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:29
S5	66	(transceiver or receiver) with (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) same (voice or telephone or call$4) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:32
S6	251	("340"/$.ccls. "235"/$.ccls. "455"/$.ccls.) and (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) with (voice or telephone or call$4 or phone) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:40
S7	174	("340"/$.ccls. "235"/$.ccls. "455"/$.ccls.) and (switch$4 or chang$4 or alter$5) near5 (mode or setting or operating or operat$4 or status) with (voice or telephone or call$4 or phone) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:40
S8	166	("340"/$.ccls. "235"/$.ccls. "455"/$.ccls.) and (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) with (voice or telephone or call$4 or phone) with (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:40
S9	130	("340"/$.ccls. "235"/$.ccls. "455"/$.ccls.) and (switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) with (voice or telephone or phone) with (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:41
S10	5782	340/5.7,10.1.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:48

S11	932	340/5.2.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:49
S12	6915	340/572.1.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:49
S13	998	235/435.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:55
S14	7852	235/380.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:56
S15	998	235/435.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:56
S16	4393	235/487.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:57
S17	148	(switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) with (voice or telephone or call$4) with (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:57
S18	93	(switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) with (voice or telephone) with (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 11:59
S19	56	(switch$4 or chang$4 or alter$5) with (mode or setting or operating or operat$4 or status) same (voice or telephone) with (rfid or transponder) same (mobile or portable or handheld)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:16
S20	10865	455/73,74,83,553.1,556.1,557.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:30
S21	34522	S10 S11 S12 S13 S14 S15 S16 S20	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:30
S22	36	S21 and (mobile or portable or handheld) same (phone or telephone) same (mode or configuration or setting or status or state) with (chang$4 or alter$5 or switch$4) same (rfid or transponder)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:31

S23	21	S21 and (mobile or portable or handheld) same (phone or telephone or pda or device) same (mode or configuration or setting or status or state) with (chang$4 or alter$5 or switch$4) same (rfid or transponder) same (telephone or call)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:32
S24	64	S21 and (mobile or portable or handheld) same (phone or telephone or pda or device) same (mode or configuration or setting or status or state) with (chang$4 or alter$5 or switch$4) same (rfid or transponder) and (telephone or call) and (rfid or transponder) with (emulat$4 or signal$4 or mimic$4)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:32
S25	75	S22 S23 S24	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/11/21 12:32

11/21/2012 5:19:50 PM

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

SEARCHED

Class	Subclass	Date	Examiner
455	552.1 556.1 557	7-12-12	dw
235	380 435 487	11-21-12	dw
340	572.1 5.2 5.7 10.1	11-21-12	dw
455	73 74 83 553.1 556.1 557		

SEARCH NOTES

Search Notes	Date	Examiner
class 235 340 455 keyword search	7-12-12	dw
consulted L. West class 455	7-12-12	dw
class 235 340 455 keyword search	11-21-12	dw
EAST search attached	11-21-12	dw

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner
same as	above	11-21-12	dw

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

ORIGINAL		INTERNATIONAL CLASSIFICATION													
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED				
235	380	G	0	6	K	5 / 00 (2006.01.01)					
CROSS REFERENCE(S)		G	0	6	K	7 / 00 (2006.01.01)					
		G	0	6	K	19 / 00 (2006.01.01)					
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)	G	0	8	B	13 / 14 (2006.01.01)					
235	435 487	G	0	5	B	19 / 00 (2006.01.01)					
340	572.1 5.2 5.7 10.1	B	6	0	R	25 / 00 (2006.01.01)					
455	73 74 553.1 556.1 552.1	H	0	4	Q	5 / 22 (2006.01.01)					
455	557	H	0	4	B	1 / 38 (2006.01.01)					
		H	0	4	B	1 / 40 (2006.01.01)					
		H	0	4	M	1 / 00 (2006.01.01)					

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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	2		18		34		50	6	66						
	3		19		35		51	7	67						
	4		20		36		52	8	68						
	5		21		37		53	9	69						
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	12		28		44		60	16	76						
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	14		30		46	2	62	18	78						
	15		31		47	3	63	19	79						
	16		32		48	4	64								

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 19	
/DANIEL WALSH/ Primary Examiner.Art Unit 2887 (Primary Examiner)	11/21/2012 (Date)	O.G. Print Claim(s) 61	O.G. Print Figure 1

U.S. Patent and Trademark Office Part of Paper No.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	07/12/2012	11/21/2012							
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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
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	DANIEL WALSH	2887

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

CLAIM		DATE								
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	37	-	-							
	38	-	-							
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10	70	✓	=							
11	71	✓	=							
12	72	✓	=							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	07/12/2012	11/21/2012							
13	73	✓	=							
14	74	✓	=							
15	75	✓	=							
16	76	✓	=							
17	77	✓	=							
18	78	✓	=							
19	79	✓	=							

PTO/SB/80 (11-08)
Approved for use through 11/30/2011. OMB 0651-0035
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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: 60172

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: 60172

OR

☐ Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address:

Varia Holdings LLC
956 East 8th Street
Brooklyn, NY 11230

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		Date	10/04/10
Name	Michael Jemal	Telephone	
Title	President- Varia Holdings LLC		

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.**

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Varia Holdings LLC

Application No./Patent No.: 13/363,202 Filed/Issue Date: January 31, 2012

Titled: EMULATED RADIO FREQUENCY IDENTIFICATION

Varia Holdings LLC, a limited liability company
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. [X] the assignee of the entire right, title, and interest in;

2. [ ] an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is _____ %); or

3. [ ] the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

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

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

B. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Zatloukal et al. To: Wildseed Ltd.
   The document was recorded in the United States Patent and Trademark Office at Reel 015680, Frame 0311, or for which a copy thereof is attached.

2. From: Wildseed Ltd. To: Wildseed Ltd.
   The document was recorded in the United States Patent and Trademark Office at Reel 021316, Frame 0357, or for which a copy thereof is attached.

3. From: Wildseed Ltd. To: Varia Mobil LLC
   The document was recorded in the United States Patent and Trademark Office at Reel 021316, Frame 0405, or for which a copy thereof is attached.

[X] Additional documents in the chain of title are listed on a supplemental sheet(s).

[ ] As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (*i.e.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment 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.

/Ryan C. Fox-Lee/	November 20, 2012
Signature	Date
Ryan C. Fox-Lee, Reg. No. 65369	Attorney
Printed or Typed Name	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.**

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STATEMENT UNDER 37 CFR 3.73(b)

SUPPLEMENTAL SHEET

4. From: Varia Mobil LLC To: Varia Holdings LLC.
   The document was recorded in the United States Patent and Trademark Office at Reel 021316, Frame 0437, or for which a copy thereof is attached.

5. From: Varia Holdings LLC To: Varia LLC.
   The document was recorded in the United States Patent and Trademark Office at Reel 021330, Frame 0233, or for which a copy thereof is attached.

6. From: Varia LLC To: Varia Holdings LLC.
   The document was recorded in the United States Patent and Trademark Office at Reel 023928, Frame 0756, or for which a copy thereof is attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Examiner: Walsh, Daniel I.
Zatloukal et al.	Art Group: 2887
Application No.: 13/363,202	Confirmation No: 4323
Filed: January 31, 2012	
For: EMULATED RADIO FREQUENCY IDENTIFICATION	

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

RESUBMISSION OF TERMINAL DISCLAIMER

To the Commissioner of Patents:

A previous terminal disclaimer was submitted on September 18, 2012, but the Examiner indicated that a new terminal disclaimer needed to be submitted because there was no Power of Attorney in the record for the above application at the time of filing of the earlier terminal disclaimer. While it is not necessarily agreed with that the previously-filed terminal disclaimer was improper, new terminal disclaimers over U.S. Pat. No. 8,127,984 ("the '984 patent") is submitted herewith. With submission of the terminal disclaimer, the double patenting rejection over the '984 patent should be moot.

It is believed that the fee of $160.00 paid with the previously-filed terminal disclaimer may be applied to the terminal disclaimer filed herewith. However, if the previously-filed fee is in sufficient for any reason, or if any other fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

The commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: November 20, 2012

by: /Ryan C. Fox-Lee/
Ryan C. Fox-Lee
Reg. No.: 65,369

Pacwest Center, Suite 1600
1211 SW Fifth Avenue
Portland, OR 97204
Telephone: (503)222-9981

PTO/SB/26 (08-11)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 120083-184655

In re Application of: Peter Zatloukal et al.

Application No.: 13/363,202

Filed: January 31, 2012

For: EMULATED RADIO FREQUENCY IDENTIFICATION

The owner*, Varia Holdings LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,127,984 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 65,369

/Ryan C. Fox-Lee/ — November 20, 2012
Signature — Date

Ryan C. Fox-Lee
Typed or printed name

(503) 222-9981
Telephone Number

☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. 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.**

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Electronic Acknowledgement Receipt

EFS ID:	14283422
Application Number:	13363202
International Application Number:	
Confirmation Number:	4323
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Customer Number:	60172
Filer:	Ryan C. Fox-Lee/Enoy Lawless
Filer Authorized By:	Ryan C. Fox-Lee
Attorney Docket Number:	120083-184655
Receipt Date:	20-NOV-2012
Filing Date:	31-JAN-2012
Time Stamp:	19:48:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Varia_P064C_revoc-poa-373b_11_20_12.pdf	1025256 6f24a169ec37f6fb41d8c30183342408b47b fb8b	yes	3

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Power of Attorney	1	1
	Assignee showing of ownership per 37 CFR 3.73.	2	3

Warnings:					
Information:					
2	Miscellaneous Incoming Letter	Varia_P064C_Transmittal-USPTO_11_20_12.pdf	25568 f75647bd309196d24b8105c3842354641bae8e9b	no	2
Warnings:					
Information:					
3	Terminal Disclaimer Filed	Varia_P064C_TD_11_20_12.pdf	115877 e226147088e3470a36962a616c41ac194ce73761	no	1
Warnings:					
Information:					
		Total Files Size (in bytes):	1166701		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination	
	13/363,202	ZATLOUKAL ET AL.	

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☐ APPROVED	☒ DISAPPROVED
Date Filed : 18 SEPT 2012	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

No Power of Attorney on record in the file, the TD must be resubmitted at no additional cost to applicant.

JAB

U.S. Patent and Trademark Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Examiner: Walsh, Daniel I.
Zatloukal et al.	Art Group: 2887
Application No.: 13/363,202	Confirmation No: 4323
Filed: January 31, 2012	
For: EMULATED RADIO FREQUENCY IDENTIFICATION	

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

AMENDMENT

To the Commissioner of Patents:

This communication is submitted in response to the Office Action mailed on July 16, 2012. Reconsideration of the above-identified application is respectfully requested in view of the following amendments and remarks:

Amendments to the Claims begin on page **2** of this paper.

Remarks/Arguments begin on page **6** of this paper.

AMENDMENTS TO THE CLAIMS

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

Listing of Claims

1-60. (Cancelled)

61. (Previously Presented) A method for providing a radio frequency identification (RFID) from a switchable mobile communications device capable of RFID communication and voice call communication, the method comprising:

receiving, by the mobile communications device, an instruction to transmit first RFID transponder data;

switching a transceiver of the mobile communications device from a first state to a second state upon reception of said instruction, the transceiver configured to output voice call signals in the first state and to output RFID transponder signals in the second state; and

outputting the first RFID transponder data by the transceiver as an RFID transponder signal.

62. (Previously Presented) The method of claim 61, wherein said transceiver comprises a first signal processing unit configured to process voice call signals and a second signal processing unit configured to process RFID signals, said switching comprising coupling the second signal processing unit to a transmission path of the transceiver.

63. (Previously Presented) The method of claim 61, wherein said first RFID transponder data comprises a selected one of a security key and an identifier.

64. (Previously Presented) The method of claim 61, wherein the method further comprises facilitating the user in selecting the first RFID transponder data from a plurality of RFID transponder data using the mobile communication device.

65. (Previously Presented) The method of claim 61, wherein the method comprises facilitating provision of the first RFID transponder data to the mobile communication device by facilitating provision of at least a signaling attribute associated with the outputting of the RFID transponder data in the format compatible with said RFID reader.

66. (Previously Presented) The method of claim 61, wherein the method further comprises:

monitoring for proximal presence of the RFID reader by the mobile communication device; and

on detection of the RFID reader by the mobile communication device, outputting, by the transceiver, second RFID transponder data as a second radio frequency signal, the outputting emulating output of the second RFID transponder data by an RFID transponder of a passive type.

67. (Previously Presented) The method of claim 66, wherein said monitoring comprises sensing for a probing radio frequency signal of the RFID reader by the mobile communication device.

68. (Previously Presented) A method for providing a radio frequency identifier (RFID), from a switchable mobile communications device capable of RFID communication and voice call communication, the method comprising:

monitoring, by the mobile communication device, for proximal presence of a proximal RFID reader, the mobile communication device having a transceiver configured, to output, in a first state, RFID transponder data to be received by the proximal RFID reader upon the mobile communications device determining proximal presence of one or more RFID readers, the transceiver being also configured to output, in a second state, a voice call signal for transmission at least in part over a wireless network; and

on detection of the RFID reader, outputting, by the transceiver, the RFID transponder data as a radio frequency signal.

69. (Previously Presented) The method of claim 68, wherein said monitoring comprises sensing for one or more probing radio frequency signals of the one or more RFID readers by the mobile communication device.

70. (Previously Presented) The method of claim 68, wherein said data comprises a security key.

71. (Previously Presented) The method of claim 68, wherein the method further comprises facilitating provision of the RFID transponder data to the mobile communication device by facilitating provision of at least a signaling attribute associated with the outputting of the RFID transponder data in the format employed by the RFID reader.

72. (Previously Presented) A switchable mobile communication device capable of RFID communication and voice call communication, the mobile communication device comprising:

a transmitter configured to transmit a radio frequency signal, the transmitter comprising a first signal processing section and a second signal processing section, the first signal processing section configured to output voice call signals in a first radio frequency range and the second signal processing section configured to output RFID transponder signals in a second radio frequency range;

a storage medium to store a first data and instructions to:

monitor for proximal presence of one or more RFID readers; and

operate the transmitter to switch between the first and second signal processing sections to selectively: (a) output first RFID transponder data as said RFID transponder signals in response to detection by the mobile communication device of the proximal RFID reader, and (b) output a voice call signal for transmission over a wireless network; and

a processor coupled to the transmitter and the storage to execute the instructions.

73. (Previously Presented) The device of claim 72, wherein said first RFID transponder data comprises a selected one of a security key and an identifier.

74. (Previously Presented) The device of claim 73, wherein said first RFID transponder data comprises a security key, and said security key comprises a door key.

75. (Previously Presented) The device of claim 72, wherein the instructions are further designed to facilitate the user in selecting the first RFID transponder data from a plurality of RFID transponder data, and instructing said output.

76. (Previously Presented) The device of claim 72, wherein the instructions are further designed to facilitate provision of the first RFID transponder data to the mobile communication device.

77. (Previously Presented) The device of claim 76, wherein the instructions are further designed to include, with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the first RFID transponder data in the form of a radio frequency signal.

78. (Previously Presented) The device of claim 72, wherein the instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

79. (Previously Presented) The device of claim 72, wherein the mobile communication device is a selected one of a wireless mobile phone and a personal digital assistant equipped with communication capability.

REMARKS

This paper is responsive to the non-final Office Action mailed July 16, 2012 ("the Action"). Claims 61-79 were previously pending and presently stand rejected. For at least the reasons set forth below, the claims are in condition for allowance.

Double Patenting RejectionDouble Patenting Rejection

Claims 61-79 were rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-3, 6, 8-10, 13-15, 19, 21-23, 26-29, and 31 of U.S. Pat. No. 8,127,984 ("the '984 patent"). [Action at §§ 2 and 3, pages 3 and 4.] While it is not necessarily agreed with that the instant claims are unpatentable over claims of the '984 patent, a terminal disclaimer over the '984 patent is submitted herewith. With submission of the terminal disclaimer, the double patenting rejections over the '984 patent should be moot.

It is respectfully requested that the double patenting rejections of claims 61-79 be withdrawn.

CONCLUSION

It is respectfully submitted that pending claims 61-79 in the present application are in condition for allowance. A Notice of Allowance is respectfully requested

If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (503) 796-2446. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,

Date: September 18, 2012

By: /Ryan C. Fox-Lee/
Ryan C. Fox-Lee
Reg. No.: 65,369

PTO/SB/26 (08-11)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 120083-184655

In re Application of: Peter Zatloukal et al.

Application No.: 13/363,202

Filed: January 31, 2012

For: EMULATED RADIO FREQUENCY IDENTIFICATION

The owner*, Varia Holdings LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,127,984 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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

2. ☑ The undersigned is an attorney or agent of record. Reg. No. 65,369

/Ryan C. Fox-Lee/ — Signature
9/18/2012 — Date

Ryan C. Fox-Lee
Typed or printed name

(503) 222-9981
Telephone Number

☑ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. 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.**

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Electronic Patent Application Fee Transmittal	
Application Number:	13363202
Filing Date:	31-Jan-2012
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Filer:	Ryan C. Fox-Lee/Enoy Lawless
Attorney Docket Number:	120083-184655
Filed as Small Entity	

Utility under 35 USC 111(a) Filing Fees

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Statutory or terminal disclaimer	2814	1	80	80
		Total in USD ($)		**80**

Electronic Acknowledgement Receipt	
EFS ID:	13773342
Application Number:	13363202
International Application Number:	
Confirmation Number:	4323
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Customer Number:	60172
Filer:	Ryan C. Fox-Lee/Enoy Lawless
Filer Authorized By:	Ryan C. Fox-Lee
Attorney Docket Number:	120083-184655
Receipt Date:	18-SEP-2012
Filing Date:	31-JAN-2012
Time Stamp:	14:15:32
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$80
RAM confirmation Number	475
Deposit Account	500393
Authorized User	
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Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		Varia_P064C_response_09_18_12.pdf	33990 dee822b94fcaffc6cfd7c54db002b325510ee168	yes	6
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	6	
Warnings:					
Information:					
2	Terminal Disclaimer Filed	Varia_P064C_terminal-discl_09_18_12.pdf	115964 70e609d8353ccde66977332946bfcf150eb0515b	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30102 e16826f3179b2d2cbd0943f5951c43b9302a8c35	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	180056		

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<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	
13/363,202	01/31/2012	☐ To be Mailed

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY ☒ RATE ($)	SMALL ENTITY FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT 09/18/2012

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 19	Minus	** 20	= 0	X $30 =	0	OR	X $ =	
Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $125 =	0	OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

AMENDMENT

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)	OR	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/PEARLIE A. FENNELL/

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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/363,202	01/31/2012	Peter Zatloukal	120083-184655	4323

60172 7590 07/16/2012
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

EXAMINER
WALSH, DANIEL I

ART UNIT	PAPER NUMBER
2887	

MAIL DATE	DELIVERY MODE
07/16/2012	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.

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)	
	13/363,202	ZATLOUKAL ET AL.	
	Examiner	Art Unit	
	DANIEL WALSH	2887	

-- 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 _____.

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

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

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

Disposition of Claims

5)☒ Claim(s) 61-79 is/are pending in the application.

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

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) 61-79 is/are rejected.

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

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

Application Papers

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

11)☒ The drawing(s) filed on 31 January 2012 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5-21-12.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 61-79 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6, 8-10, 13-15, 19, 21-23, 26-29, and 31 of U.S. Patent No. 8127984. Although the conflicting claims are not identical, they are not patentably distinct from each other because since they are a broader recitation and/or obvious variants.

3. For example, claim 61 of the instant Application recites "...receiving... an instruction to transmit first RFID... switching a transceiver... voice call signals in the first state and to output RFID transponder signals in the second state...outputting...", claim 68 of the instant Application recites "… monitoring… presence of a proximal RFID reader… output, in a first state, RFID transponder data…. determining the presence of one or more RFID readers… second state... voice call signal... on detection...", and claim 72 of the instant Application recites "… transmitter configured to transmit a radio frequency signal… first signal processing… second signal processing… voice call signals… RFID transponder signals… a storage medium… RFID readers… operate the transmitter… output first RFID transponder data… output a voice call…", wherein claim 1 of the '984 Patent recites "… receiving… an instruction to transmit first RFID… switching a transceiver… Voice call signals in the first state and to output RFID transponder signals in the second state… outputting…", claim 13 of the '984 Patent recites "… monitoring… presence of a proximal RFID reader… output, in a first state, RFID transponder data…. determining the presence of one or more RFID readers… second state... voice call signal... on detection...", and claim 21 recites "… transmitter configured to transmit a radio frequency

signal… first signal processing… second signal processing… voice call signals… RFID transponder signals… a storage medium… RFID readers… operate the transmitter… output first RFID transponder data… output a voice call…"

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL WALSH whose telephone number is (571)272-2409. The examiner can normally be reached on M-F 9am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Paik can be reached on 571-272-2404. 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.

/DANIEL WALSH/
Primary Examiner, Art Unit 2887

Notice of References Cited	Application/Control No. 13/363,202	Applicant(s)/Patent Under Reexamination ZATLOUKAL ET AL.	
	Examiner DANIEL WALSH	Art Unit 2887	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,448,620 A	09-1995	Gershkovich et al.	455/552.1
*	B	US-6,032,054 A	02-2000	Schwinke, Steven P.	455/557
*	C	US-6,359,866 B1	03-2002	Svensson et al.	370/331
*	D	US-2002/0123325 A1	09-2002	Cooper, Gerald M.	455/411
*	E	US-2004/0069852 A1	04-2004	Seppinen et al.	235/451
*	F	US-2004/0171373 A1	09-2004	Suda et al.	455/415
*	G	US-2006/0003772 A1	01-2006	Semper, William J.	455/452.1
*	H	US-2006/0052055 A1	03-2006	Rowse et al.	455/041.1
*	I	US-2006/0111053 A1	05-2006	Wu et al.	455/090.3
*	J	US-2007/0032261 A1	02-2007	Boyer et al.	455/550.1
*	K	US-2007/0030124 A1	02-2007	LEE, Won-Jun	340/010.1
*	L	US-2007/0178935 A1	08-2007	Shim et al.	455/552.1
*	M	US-2008/0146167 A1	06-2008	Rofougaran, Ahmadreza (Reza)	455/88

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	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.

Notice of References Cited	Application/Control No. 13/363,202	Applicant(s)/Patent Under Reexamination ZATLOUKAL ET AL.	
	Examiner DANIEL WALSH	Art Unit 2887	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,440,743 B2	10-2008	Hara et al.	455/343.2
*	B	US-2009/0143013 A1	06-2009	Hatano et al.	455/41.3
*	C	US-2009/0209283 A1	08-2009	Yang et al.	455/553.1
*	D	US-2009/0221232 A1	09-2009	Estevez et al.	455/41.1
*	E	US-7,605,701 B2	10-2009	Lee, Won-Jun	340/572.1
*	F	US-2010/0239079 A1	09-2010	BAO, JING	379/110.01
*	G	US-8,127,984 B2	03-2012	Zatloukal et al.	235/380
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	P					
	Q					
	R					
	S					
	T					

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Application Number	13363202
	Filing Date	2012-01-31
	First Named Inventor	Peter Zatloukal
	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	4119800		1978-10-10	Girardi	
	2	5448620		1995-09-05	Gershkovich et al.	
	3	5473318		1995-12-05	Martel	
	4	5530702		1996-06-25	Palmer et al.	
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	7	6026308		2000-02-15	Hsieh	
	8	6164551		2000-12-26	Altwasser	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	9	6167128		2000-12-26	Fuller et al.	
	10	6314281		2001-11-06	Chao et al.	
	11	6359866		2002-03-19	Svensson et al.	
	12	6421347		2002-07-16	Borgstahl et al.	
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	16	7110792		2006-09-19	Rosenberg	
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	20	7324476		2008-01-29	Agrawal et al.	
	21	7375616		2008-05-20	Rowse et al.	
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20020160775		2002-10-31	Pecen et al.	
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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	5	20040077352		2004-04-22	Mahany	
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	15	20060022802		2006-02-02	Bridgelall	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	16	20060044111		2006-03-02	Kollar et al.	
	17	20060052055		2006-03-09	Rowse et al.	
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	26	20070060212		2007-03-15	Shah	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	27	20070066278		2007-03-22	Hong	
	28	20070120679		2007-05-31	Shin et al.	
	29	20070159330		2007-07-12	Chakraborty et al.	
	30	20070178935		2007-08-02	Shim et al.	
	31	20070197261		2007-08-23	Humbel	
	32	20070263595		2007-11-15	Charrat	
	33	20070274242		2007-11-29	Lamacraft et a.	
	34	20070286171		2007-12-13	Guan	
	35	20070293202		2007-12-20	Moshir et al.	
	36	20080018433		2008-01-24	Pitt-Pladdy	
	37	20080057876		2008-03-06	Hsia et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	38	20080146167		2008-06-19	Rofougaran	
	39	20090058652		2009-03-05	Hardy et al.	
	40	20090090783		2009-04-09	Killian et al.	
	41	20090170519		2009-07-02	Wilhoite et al.	
	42	20090209283		2009-08-20	Yang et al.	
	43	20090221232		2009-09-03	Estevez et al.	
	44	20090243810		2009-10-01	Pendlebury et al.	
	45	20090291634		2009-11-26	Saarisalo	
	46	20100026454		2010-02-04	Rowse et al.	
	47	20100137024		2010-06-03	Maguire	
	48	20100158077		2010-06-24	Mahany	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

	49	20100239079		2010-09-23	Bao	

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EXAMINER SIGNATURE

Examiner Signature	/Daniel Walsh/	Date Considered	07/12/2012

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

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

EFS Web 2.1.17 ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.W./

Receipt date: 05/21/2012	Application Number	13363202	13363202 - GAU: 2887
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2012-01-31	
	First Named Inventor	Peter Zatloukal	
	Art Unit	2887	
	Examiner Name	Daniel I. Walsh	
	Attorney Docket Number	120083-184655	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

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

Signature	/Ryan C. Fox/	Date (YYYY-MM-DD)	2012-05-18
Name/Print	Ryan C. Fox	Registration Number	65369

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 hour 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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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

SEARCHED			
Class	**Subclass**	**Date**	**Examiner**
455	552.1 556.1 557	7-12-12	dw

SEARCH NOTES		
Search Notes	**Date**	**Examiner**
class 235 340 455 keyword search	7-12-12	dw
consulted L. West class 455	7-12-12	dw

INTERFERENCE SEARCH			
Class	**Subclass**	**Date**	**Examiner**

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	07/12/2012								
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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

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CLAIM		DATE								
Final	Original	07/12/2012								
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	62	✓								
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	70	✓								
	71	✓								
	72	✓								

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13363202	ZATLOUKAL ET AL.
	Examiner	**Art Unit**
	DANIEL WALSH	2887

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	07/12/2012								
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	74	✓								
	75	✓								
	76	✓								
	77	✓								
	78	✓								
	79	✓								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	73	("20020160775" | "20030069048" | "20030158785" | "20040069852" | "20040077352" | "20040087273" | "20040093274" | "20040127256" | "20040171373" | "20040248616" | "20040263319" | "20050127156" | "20060003772" | "20060017544" | "20060022802" | "20060044111" | "20060052055" | "20060097848" | "20060111053" | "20060116127" | "20060237528" | "20060280149" | "20070030124" | "20070032261" | "20070037605" | "20070060212" | "20070066278" | "20070120679" | "20070159330" | "20070178935" | "20070197261" | "20070263595" | "20070274242" | "20070286171" | "20070293202" | "20080018433" | "20080057876" | "20080146167" | "20090058652" | "20090090783" | "20090170519" | "20090209283" | "20090221232" | "20090243810" | "20090291634" | "20100026454" | "20100137024" | "20100158077" | "20100239079" | "4119800" | "5448620" | "5473318" | "5530702" | "5793843" | "5957995" | "6026308" | "6164551" | "6167128" | "6314281" | "6359866" | "6421347" | "6434395" | "6476708" | "6771981" | "7110792" | "7245997" | "7280810" | "7283044" | "7324476" | "7375616" | "7440743" | "7502615" | "7605701").PN.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:20
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L3	395	(terminal or phone or portable or handheld or telephone) same (configuration or mode)same (voice or telephone or call$4) same (RFID or transponder) same radio	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:40
L4	122	(terminal or phone or portable or handheld or telephone) same (configuration or mode)same (voice or telephone or call$4) same (RFID or transponder) same radio same (transceiver or transmitter)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:40
L5	4	((terminal or phone or portable or handheld or telephone) same (configuration or mode) same (voice or telephone or call$4) same (RFID or transponder) same radio).ab.	US-PGPUB; USPAT; EPO;	OR	ON	2012/07/12 10:41

			JPO			
L6	17	((terminal or phone or portable or handheld or telephone or mobile) same (configuration or mode) same (voice or telephone or call$4) same (RFID or transponder)).ab.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:45
L7	549	((terminal or phone or portable or handheld or telephone or mobile) with (configuration or mode) same (voice or telephone or call$4) same (RFID or transponder))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:47
L8	34	((terminal or phone or portable or handheld or telephone or mobile) with (configuration or mode) near3 (first or second or switch$4 or chang$3) same (voice or telephone or call$4) same (RFID or transponder))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:47
L9	6	((terminal or phone or portable or handheld or telephone or mobile) with (configuration or mode or setting or parameter) near5 (first or second or switch$4 or chang$3 or alter$5) same (voice or telephone or call$4) same (RFID or transponder) near3 (transmit$4 or send$4 or communicat$4) with (signal or data or information))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 10:57
L10	10	((terminal or phone or portable or handheld or telephone or mobile) with (configuration or mode or setting or parameter OR SWITCH$4) near5 (first or second or switch$4 or chang$3 or alter$5) same (voice or telephone or call$4) same (RFID or transponder) near3 (transmit$4 or send$4 or communicat$4) with (signal or data or information))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 11:00
L11	71	((terminal or phone or portable or handheld or telephone or mobile) with (call$4 or voice) with (rfid or transponder) with (switch$4 or dual))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 11:04
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L13	195	((terminal or phone or portable or handheld or telephone or mobile) same (call$4 or voice) same (rfid or transponder) same (switch$4 or dual or second) same (mode or configuration or setting or state))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 11:15
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L15	210	(frank$3 and (mail or mailpiece)).ab.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/12 11:31
L16	13	(frank$3 and (mail or mailpiece)).ab. and eras$4	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/12 11:32
L17	2	10/560,262	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/12 11:58
L18	20	("20020067267" | "20030219035" | "20040127251" | "20050127156" | "20050280545" | "20060079180" | "4979170" | "6067443" | "6292671" | "6782251" | "6816711" | "6937878" | "7020497" | "7113095" | "7167710" | "7215976").PN. OR ("7605701").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/12 12:14
L19	1	"20060079180".pn.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 12:16
L20	9152	455/552.1,556.1,557.ccls.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 12:18
L21	3329	20 and (rfid or transponder or "radio frequency")	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 12:18
L22	1576	20 and (rfid or transponder or "radio frequency") same (telephone or cellular or phone or (voice near3 call$4))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 12:19
L23	295	20 and (rfid or transponder or "radio frequency") same (telephone or cellular or phone or (voice near3 call$4)) same	US-PGPUB; USPAT;	OR	ON	2012/07/12 12:19

		(transmitter or transceiver) same (mode or state or configuration or switch$4)	EPO; JPO			
L24	24	20 and (rfid or transponder or "radio frequency") same (telephone or cellular or phone or (voice near3 call$4)) same (transmitter or transceiver) same (mode or state or configuration) with (switch$4 or chang$4)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 12:19
L25	1	"6771981".pn.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 14:17
L26	1	"20020123325".pn.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 14:24
L27	165	("3713148" | "4189712" | "4823928" | "4880097" | "5023936" | "5053774" | "5077832" | "5138650" | "5220593" | "5353328" | "5359182" | "5382952" | "5453747" | "5488376" | "5489773" | "5528222" | "5602919" | "5604485" | "5614892" | "5710886" | "5719918" | "5727153" | "5729697" | "5748737" | "5768370" | "5787174" | "5805676" | "5819234" | "5845259" | "5848152" | "5850599" | "5887266" | "5909176" | "5933086" | "5942985" | "5943624" | "5969691" | "5987438" | "6041305" | "6058304" | "6073840" | "6075971" | "6078806" | "6078820" | "6107920" | "6107934" | "6169890" | "6232870").PN. OR ("6771981").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2012/07/12 14:33
L28	29	455/552.1,556.1,557.ccls. and (transceiver or transmitter or antenna or coil) with (RFID or "radio frequency" or transponder) same (voice or call$4 or telephone$4) same (switch$4 or chang$4 or alter$5 or activat$4) with (mode or configuration or state)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 14:35
L29	29	(455/552.1,556.1,557.ccls.) and (transceiver or transmitter or antenna or coil) with (RFID or "radio frequency" or transponder) same (voice or call$4 or telephone$4) same (switch$4 or chang$4 or alter$5 or activat$4) with (mode or configuration or state)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2012/07/12 14:46

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/363,202	01/31/2012	Peter Zatloukal	120083-184655

CONFIRMATION NO. 4323

PUBLICATION NOTICE

60172
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

OC000000054562778

Title:EMULATED RADIO FREQUENCY IDENTIFICATION

Publication No.US-2012-0133483-A1
Publication Date:05/31/2012

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.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13363202
	Filing Date	2012-01-31
	First Named Inventor	Peter Zatloukal
	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	4119800		1978-10-10	Girardi	
	2	5448620		1995-09-05	Gershkovich et al.	
	3	5473318		1995-12-05	Martel	
	4	5530702		1996-06-25	Palmer et al.	
	5	5793843		1998-08-11	Morris	
	6	5957995		1999-09-28	Beckmann et al.	
	7	6026308		2000-02-15	Hsieh	
	8	6164551		2000-12-26	Altwasser	

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	Filing Date	2012-01-31
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	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

	9	6167128		2000-12-26	Fuller et al.	
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	14	6476708		2002-11-05	Johnson	
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	16	7110792		2006-09-19	Rosenberg	
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	19	7283044		2007-10-16	Bandy	

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	Filing Date	2012-01-31
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	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

	20	7324476		2008-01-29	Agrawal et al.	
	21	7375616		2008-05-20	Rowse et al.	
	22	7440743		2008-10-21	Hara et al.	
	23	7502615		2009-03-10	Wilhoite et al.	
	24	7605701		2009-10-20	Lee	

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	1	20020160775		2002-10-31	Pecen et al.	
	2	20030069048		2003-04-10	Liu et al.	
	3	20030158785		2003-08-21	Erca	
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	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

	5	20040077352		2004-04-22	Mahany	
	6	20040087273		2004-05-06	Perttila et al.	
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	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

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	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

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	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

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	39	20090058652		2009-03-05	Hardy et al.	
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	42	20090209283		2009-08-20	Yang et al.	
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	48	20100158077		2010-06-24	Mahany	

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	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

	49	20100239079		2010-09-23	Bao	

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	Filing Date	2012-01-31
	First Named Inventor	Peter Zatloukal
	Art Unit	2887
	Examiner Name	Daniel I. Walsh
	Attorney Docket Number	120083-184655

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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

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

Signature	/Ryan C. Fox/	Date (YYYY-MM-DD)	2012-05-18
Name/Print	Ryan C. Fox	Registration Number	65369

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 hour 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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EFS ID:	12824706
Application Number:	13363202
International Application Number:	
Confirmation Number:	4323
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Customer Number:	60172
Filer:	Ryan Christopher Fox/Allyson Dahmen
Filer Authorized By:	Ryan Christopher Fox
Attorney Docket Number:	120083-184655
Receipt Date:	21-MAY-2012
Filing Date:	31-JAN-2012
Time Stamp:	16:18:55
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	Varia_P064C_IDS.pdf	614379 7f37af0f28bcfd423fe20579c035648688577e43	no	10

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/363,202

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	95		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	19 minus 20 =	*	x 30 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*	x 125 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 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).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	530		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT A	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT A	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT A	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)		RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT B	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT B	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT B	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/363,202	01/31/2012	2887	530	120083-184655	19	3

CONFIRMATION NO. 4323

60172
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

FILING RECEIPT

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Date Mailed: 02/23/2012

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Applicant(s)

Peter Zatloukal, Kirkland, WA;
G. Eric Engstrom, Kirkland, WA;
Cindy M. Smith, Kirkland, WA;

Assignment For Published Patent Application

VARIA HOLDINGS LLC, Brooklyn, NY

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 10/560,262 12/09/2005 PAT 8127984
which is a 371 of PCT/US04/18397 06/10/2004
which claims benefit of 60/478,245 06/13/2003

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If Required, Foreign Filing License Granted: 02/13/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/363,202**

Projected Publication Date: 05/31/2012

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

EMULATED RADIO FREQUENCY IDENTIFICATION

Preliminary Class

235

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/363,202	01/31/2012	2876	530	120083-184655	19	3

CONFIRMATION NO. 4323

60172
SCHWABE, WILLIAMSON & WYATT, P.C.
1420 FIFTH AVENUE, SUITE 3400
SEATTLE, WA 98101-4010

FILING RECEIPT

"OC000000052554810"

Date Mailed: 02/16/2012

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

Applicant(s)

Peter Zatloukal, Kirkland, WA;
G. Eric Engstrom, Kirkland, WA;
Cindy M. Smith, Kirkland, WA;

Assignment For Published Patent Application

VARIA HOLDINGS LLC, Brooklyn, NY

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 10/560,262 12/09/2005 PAT 8127984
which is a 371 of PCT/US04/18397 06/10/2004
which claims benefit of 60/478,245 06/13/2003

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/363,202**

Projected Publication Date: Perfected

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

EMULATED RADIO FREQUENCY IDENTIFICATION

Preliminary Class

235

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
13/363,202

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	95		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	19 minus 20 =	*	x 30 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*	x 125 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 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).			0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	530		TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT A	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT A	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT A	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE($)	ADDITIONAL FEE($)	OR	RATE($)	ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
AMENDMENT B	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
AMENDMENT B	Application Size Fee (37 CFR 1.16(s))									
AMENDMENT B	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:	Examiner: Unassigned
Zatloukal et al.	Art Group: Unassigned
Application No.: Unassigned	Confirmation No: Unassigned
Filed: January 31, 2012	
For: EMULATED RADIO FREQUENCY IDENTIFICATION	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Applicant respectfully requests that, prior to the examination of the above-referenced application, the Examiner enter the following amendments and consider the following remarks.

Amendments to the Specification begin on page **2** of this paper

Amendments to the Claims begin on page **3** of this paper.

Remarks/Arguments begin on page **7** of this paper.

AMENDMENTS TO THE SPECIFICATION:

Please replace the paragraph starting on page 1, line 4 with the following re-written paragraph:

> This application is a continuation of U.S. Patent Application 10/560,262, filed December 9, 2005 and entitled "Emulated Radio Frequency Identification," which was the National Stage of International Application No. PCT/US04/18397, filed June 10, 2004 and entitled "Emulated Radio Frequency Identification," which itself ~~non-provisional application~~claims the benefit of U.S. Provisional Application No. ~~provisional application number~~ 60/478,245, entitled "Radio Frequency Identification Using Mobile Communication Device"[[,]] and filed [[on]] June 13, 2003~~, and claims priority to said provisional application~~.

AMENDMENTS TO THE CLAIMS

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

Listing of Claims

1-60. (Cancelled)

61. (New) A method for providing a radio frequency identification (RFID) from a switchable mobile communications device capable of RFID communication and voice call communication, the method comprising:

receiving, by the mobile communications device, an instruction to transmit first RFID transponder data;

switching a transceiver of the mobile communications device from a first state to a second state upon reception of said instruction, the transceiver configured to output voice call signals in the first state and to output RFID transponder signals in the second state; and

outputting the first RFID transponder data by the transceiver as an RFID transponder signal.

62. (New) The method of claim 61, wherein said transceiver comprises a first signal processing unit configured to process voice call signals and a second signal processing unit configured to process RFID signals, said switching comprising coupling the second signal processing unit to a transmission path of the transceiver.

63. (New) The method of claim 61, wherein said first RFID transponder data comprises a selected one of a security key and an identifier.

64. (New) The method of claim 61, wherein the method further comprises facilitating the user in selecting the first RFID transponder data from a plurality of RFID transponder data using the mobile communication device.

65. (New) The method of claim 61, wherein the method comprises facilitating provision of the first RFID transponder data to the mobile communication device by facilitating provision of at least a signaling attribute associated with the outputting of the RFID transponder data in the format compatible with said RFID reader.

66. (New) The method of claim 61, wherein the method further comprises:

monitoring for proximal presence of the RFID reader by the mobile communication device; and

on detection of the RFID reader by the mobile communication device, outputting, by the transceiver, second RFID transponder data as a second radio frequency signal, the outputting emulating output of the second RFID transponder data by an RFID transponder of a passive type.

67. (New) The method of claim 66, wherein said monitoring comprises sensing for a probing radio frequency signal of the RFID reader by the mobile communication device.

68. (New) A method for providing a radio frequency identifier (RFID), from a switchable mobile communications device capable of RFID communication and voice call communication, the method comprising:

monitoring, by the mobile communication device, for proximal presence of a proximal RFID reader, the mobile communication device having a transceiver configured, to output, in a first state, RFID transponder data to be received by the proximal RFID reader upon the mobile communications device determining proximal presence of one or more RFID readers, the transceiver being also configured to output, in a second state, a voice call signal for transmission at least in part over a wireless network; and

on detection of the RFID reader, outputting, by the transceiver, the RFID transponder data as a radio frequency signal.

69. (New) The method of claim 68, wherein said monitoring comprises sensing for one or more probing radio frequency signals of the one or more RFID readers by the mobile communication device.

70. (New) The method of claim 68, wherein said data comprises a security key.

71. (New) The method of claim 68, wherein the method further comprises facilitating provision of the RFID transponder data to the mobile communication device by facilitating provision of at least a signaling attribute associated with the outputting of the RFID transponder data in the format employed by the RFID reader.

72. (New) A switchable mobile communication device capable of RFID communication and voice call communication, the mobile communication device comprising:

a transmitter configured to transmit a radio frequency signal, the transmitter comprising a first signal processing section and a second signal processing section, the first signal processing section configured to output voice call signals in a first radio frequency range and the second signal processing section configured to output RFID transponder signals in a second radio frequency range;

a storage medium to store a first data and instructions to:

monitor for proximal presence of one or more RFID readers; and

operate the transmitter to switch between the first and second signal processing sections to selectively: (a) output first RFID transponder data as said RFID transponder signals in response to detection by the mobile communication device of the proximal RFID reader, and (b) output a voice call signal for transmission over a wireless network; and

a processor coupled to the transmitter and the storage to execute the instructions.

73. (New) The device of claim 72, wherein said first RFID transponder data comprises a selected one of a security key and an identifier.

74. (New) The device of claim 73, wherein said first RFID transponder data comprises a security key, and said security key comprises a door key.

75. (New) The device of claim 72, wherein the instructions are further designed to facilitate the user in selecting the first RFID transponder data from a plurality of RFID transponder data, and instructing said output.

76. (New) The device of claim 72, wherein the instructions are further designed to facilitate provision of the first RFID transponder data to the mobile communication device.

77. (New) The device of claim 76, wherein the instructions are further designed to include, with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the first RFID transponder data in the form of a radio frequency signal.

78. (New) The device of claim 72, wherein the instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

79. (New) The device of claim 72, wherein the mobile communication device is a selected one of a wireless mobile phone and a personal digital assistant equipped with communication capability.

REMARKS

It is respectfully requested that, prior to the examination, the Examiner enter the above amendments. Claims 1-60 are cancelled. Claims 61-79 have been added. No new matter has been added. Support for the new claims can be found throughout the Specification and claims as orignally filed. Claims 61-79 are pending.

Consideration of the application, as amended, is respectfully requested.

If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (503) 796-2446. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge Deposit Account No. 500393.

Respectfully submitted,

Date: January 31, 2012

By: /Ryan C. Fox/
Ryan C. Fox
Reg. No.: 65,369

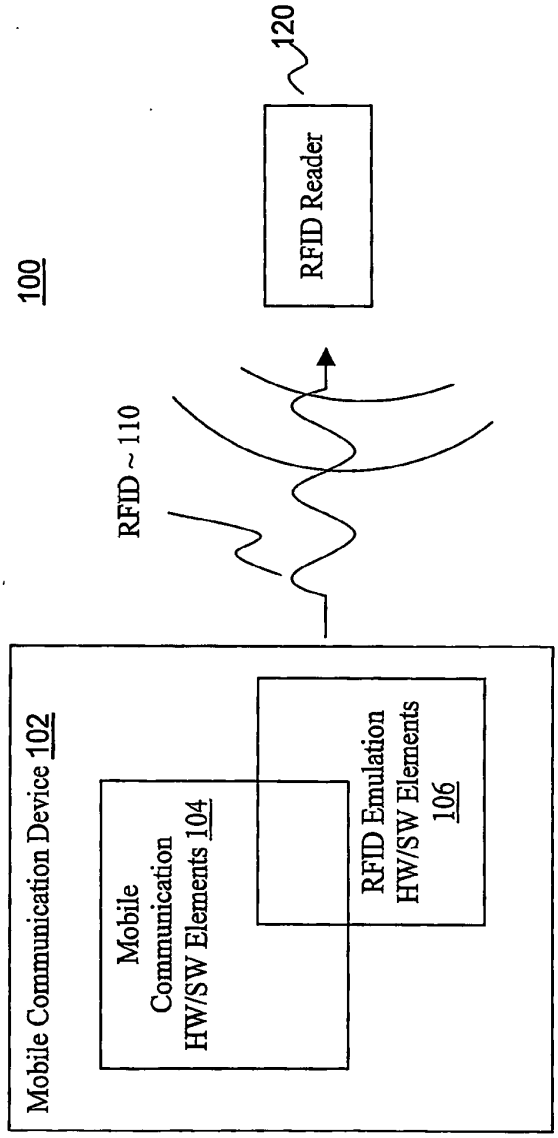

100
Mobile Communication Device 102
Mobile Communication HW/SW Elements 104
RFID Emulation HW/SW Elements 106
RFID ~ 110
RFID Reader
120

Figure 1

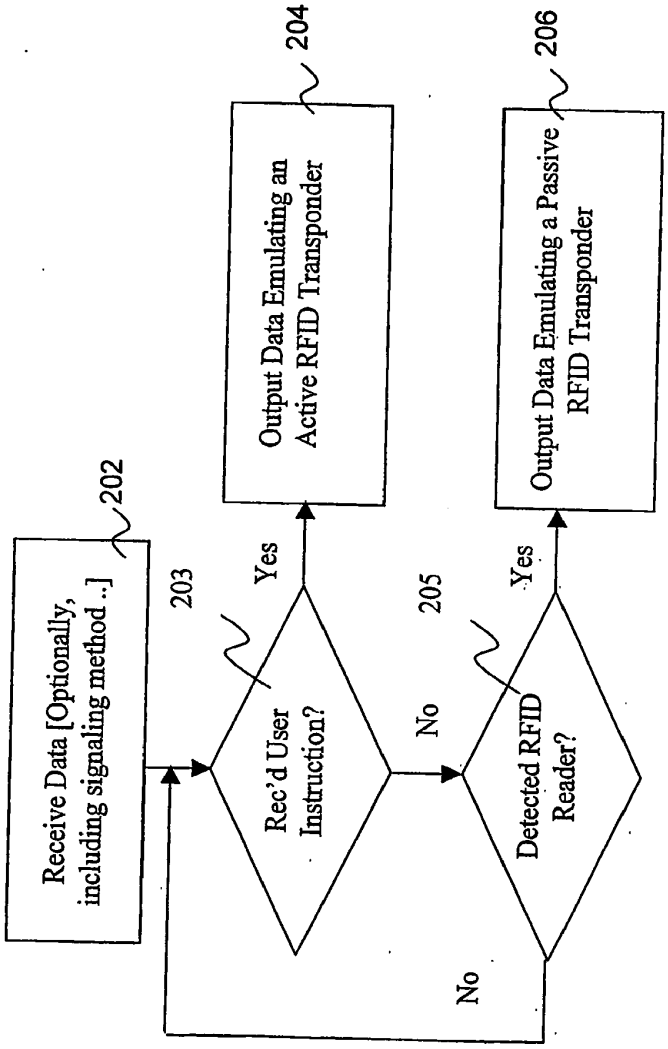

Receive Data [Optionally, including signaling method ..]
202
Rec'd User Instruction?
203
Yes
No
Output Data Emulating an Active RFID Transponder
204
Detected RFID Reader?
205
Yes
No
Output Data Emulating a Passive RFID Transponder
206

Figure 2

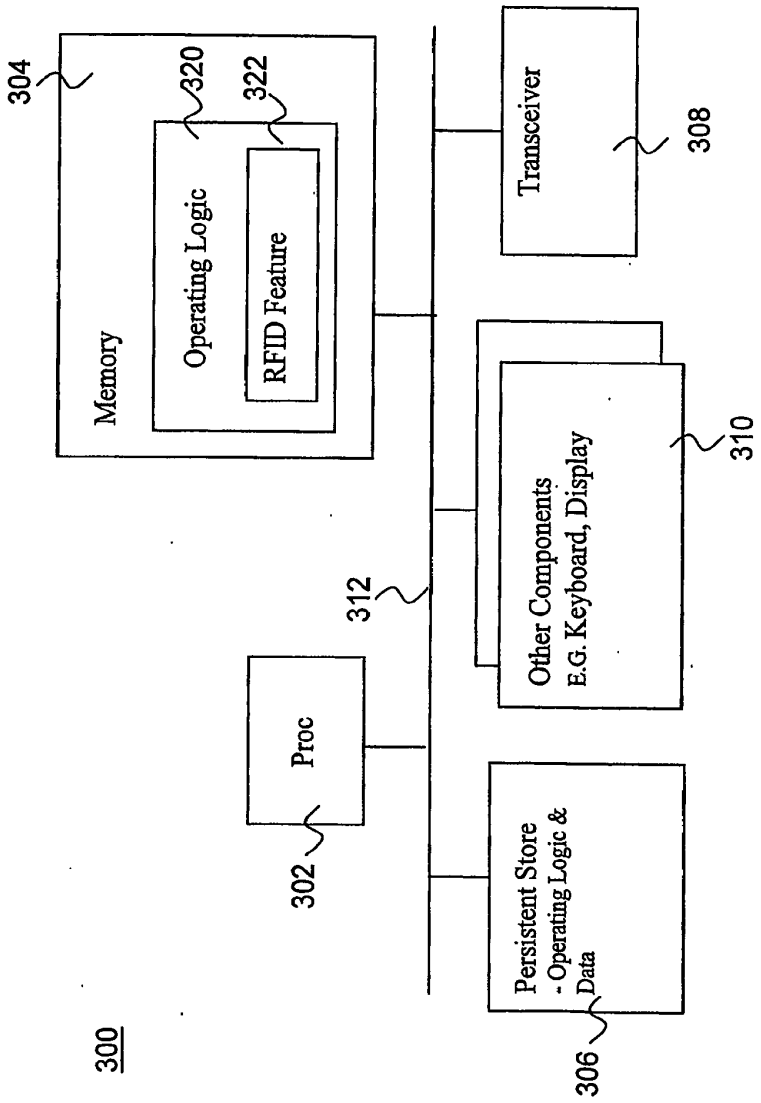

300
304
Memory
320
Operating Logic
322
RFID Feature
Proc
302
312
Transceiver
308
Other Components
E.G. Keyboard, Display
310
Persistent Store
- Operating Logic &
Data
306

Figure 3

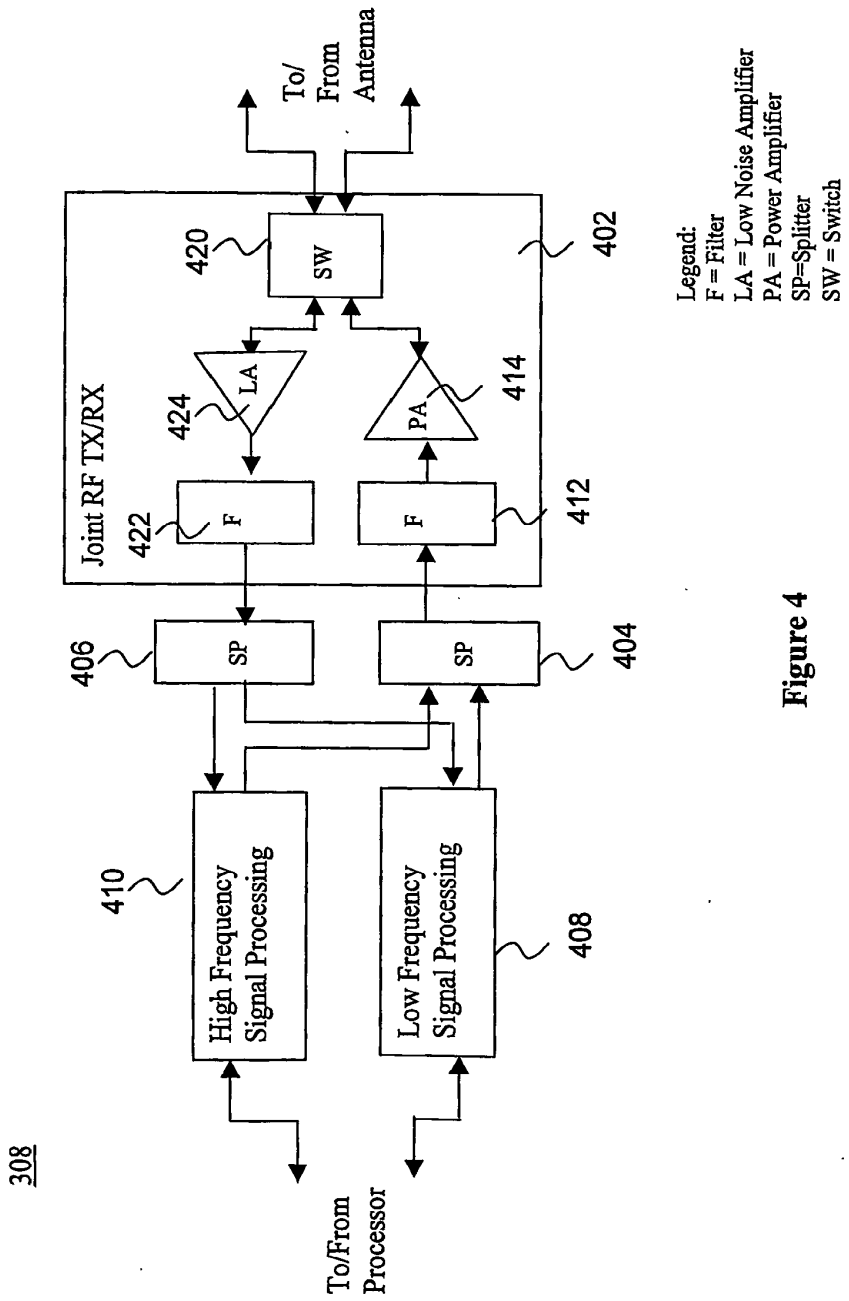
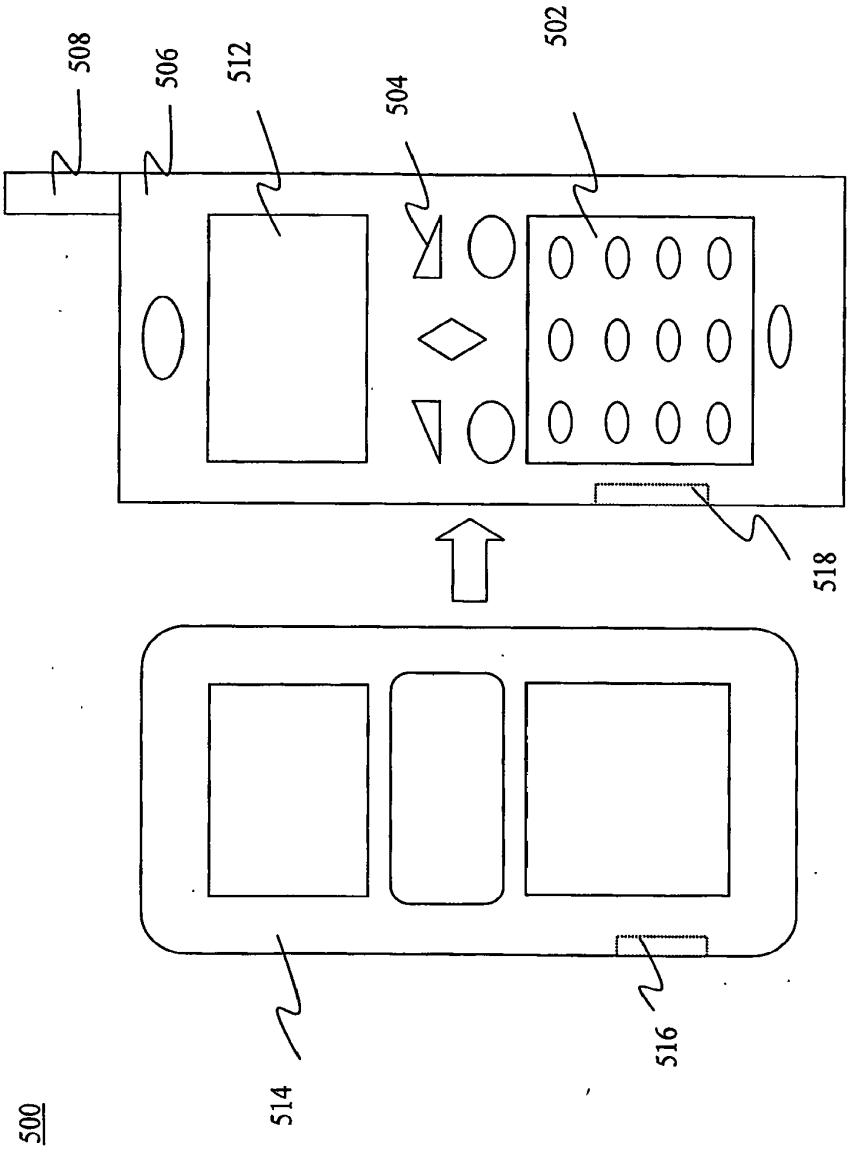

308
To/From Processor
High Frequency Signal Processing
410
Low Frequency Signal Processing
408
SP
406
SP
404
F
422
F
412
LA
424
PA
414
Joint RF TX/RX
SW
420
402
To/ From Antenna
Legend:
F = Filter
LA = Low Noise Amplifier
PA = Power Amplifier
SP=Splitter
SW = Switch

Figure 4



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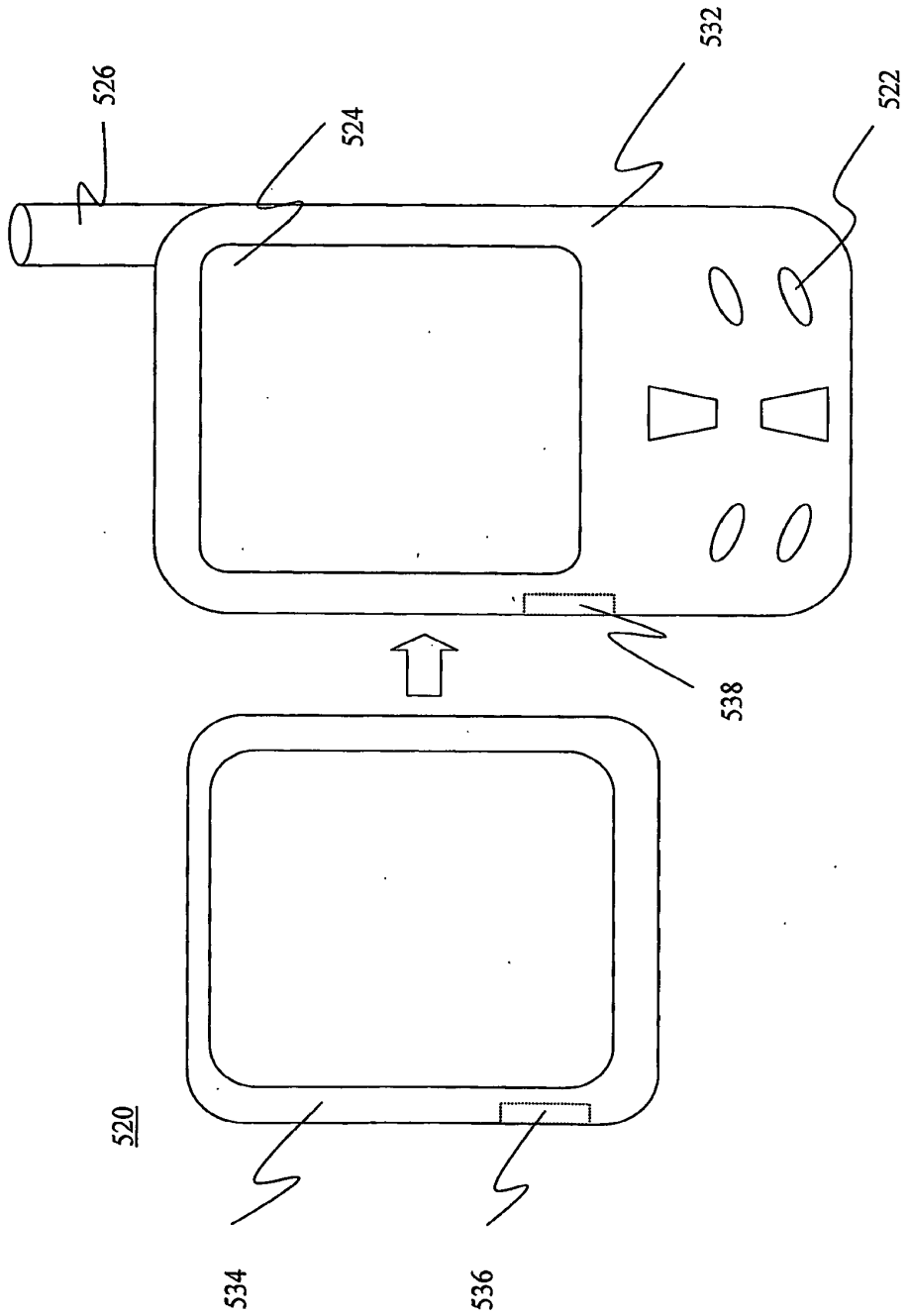


Figure 5b

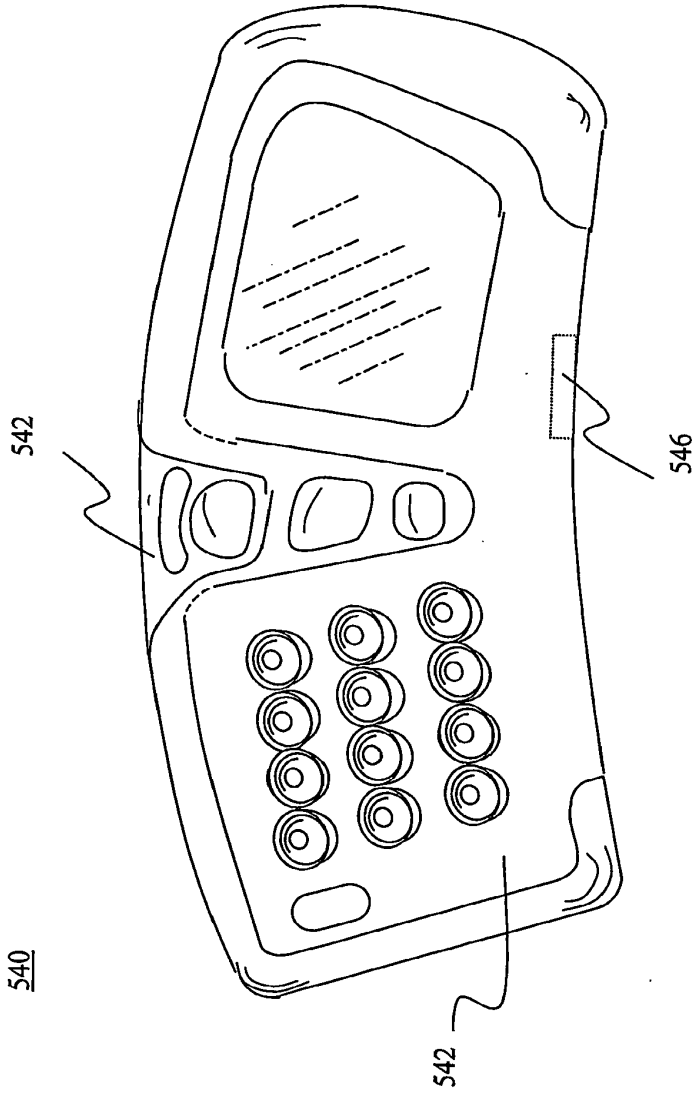


Figure 5c

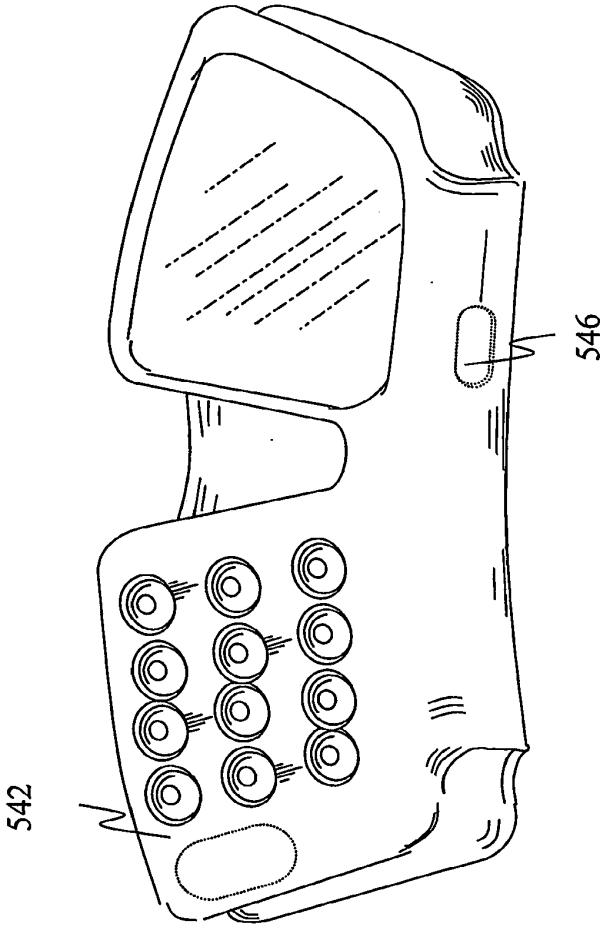


Figure 5d

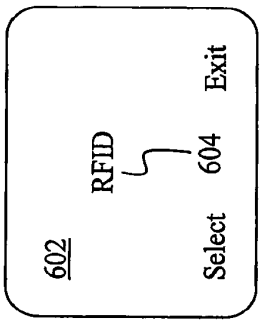


Figure 6a

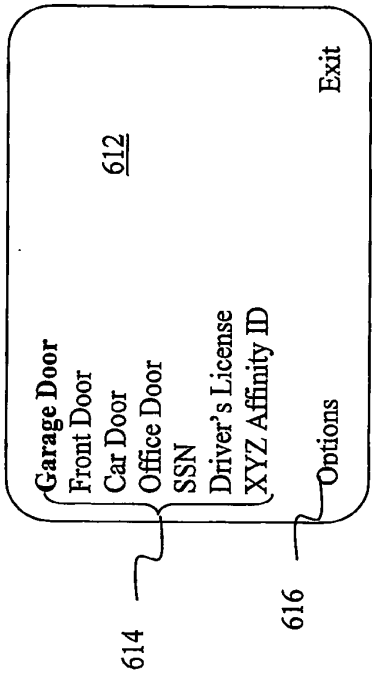
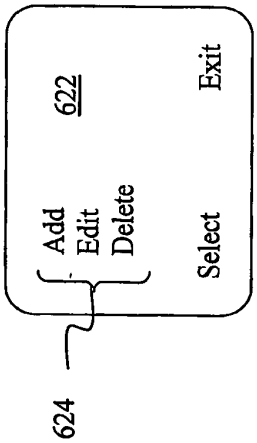


Figure 6b



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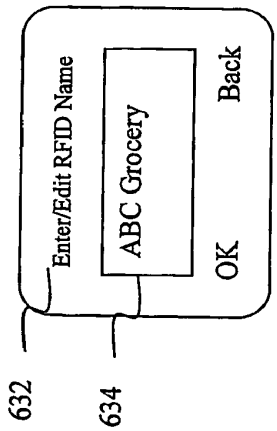
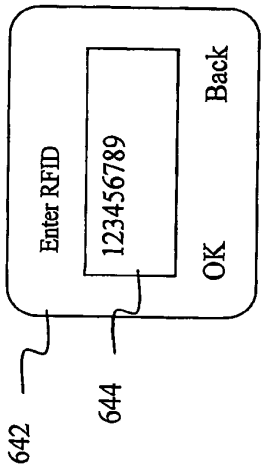


Figure 6d



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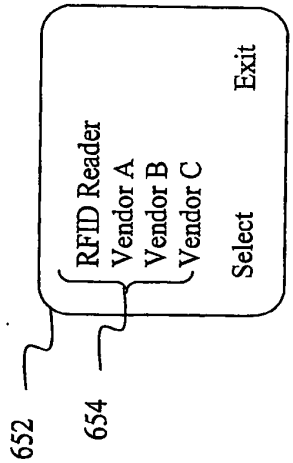

Figure 6f

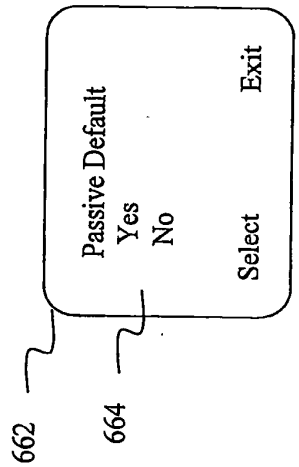

Figure 6g

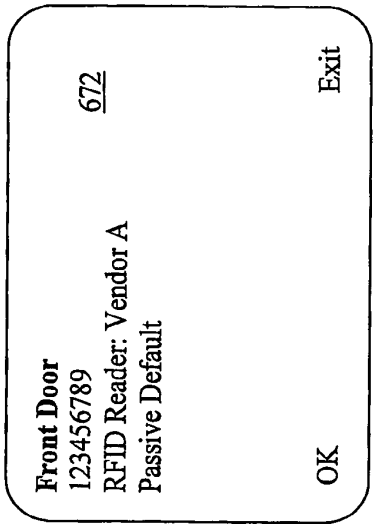
Front Door
123456789
RFID Reader: Vendor A
Passive Default
672
OK
Exit

Figure 6h

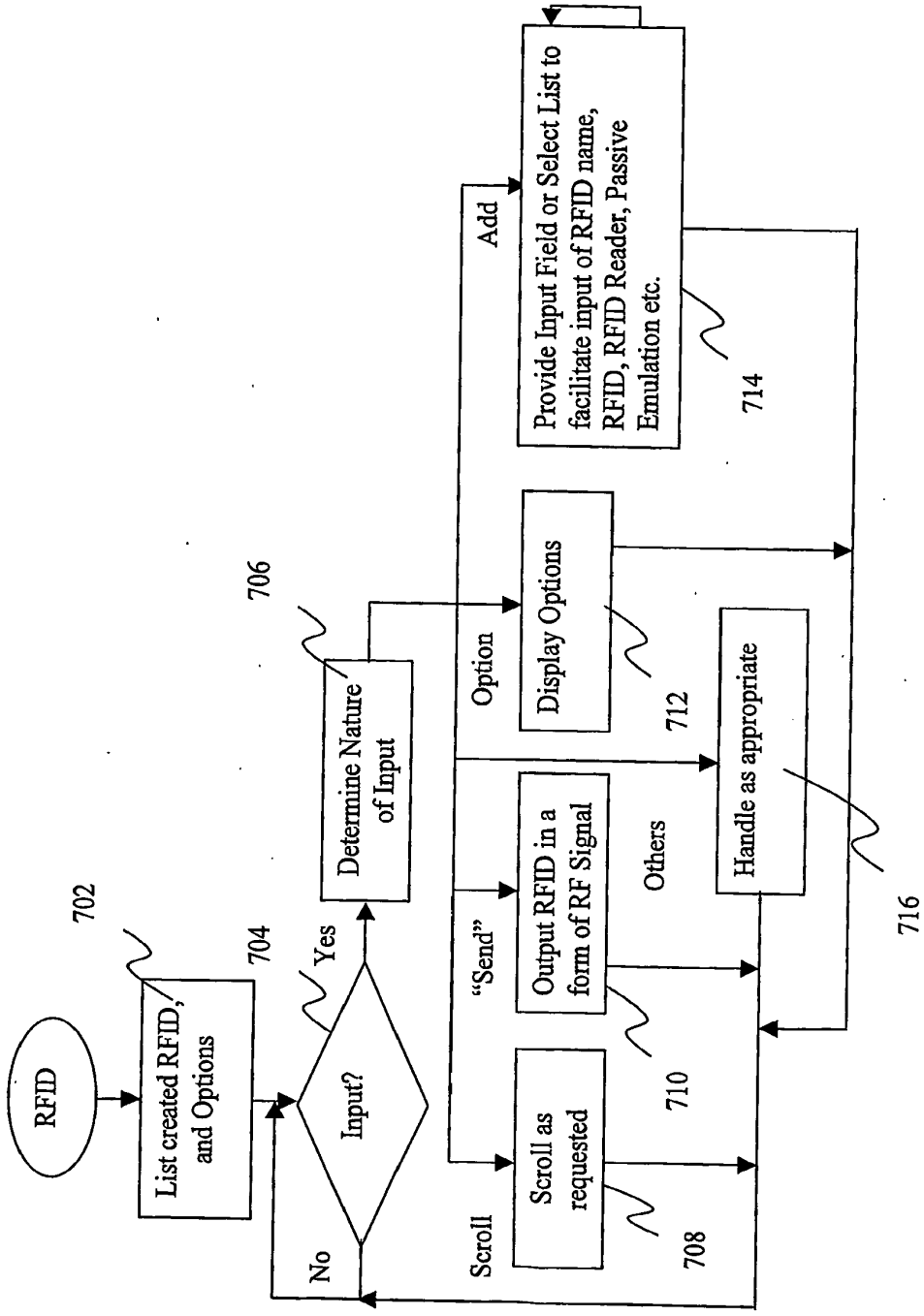
RFID
List created RFID, and Options
702
Input?
704
Yes
No
Determine Nature of Input
706
Scroll
Scroll as requested
708
"Send"
Output RFID in a form of RF Signal
710
Option
Display Options
712
Add
Provide Input Field or Select List to facilitate input of RFID name, RFID, RFID Reader, Passive Emulation etc.
714
Others
Handle as appropriate
716

Figure 7

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Filer:	Ryan Christopher Fox/Allyson Dahmen
Attorney Docket Number:	120083-184655

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	95	95
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**530**

Electronic Acknowledgement Receipt

EFS ID:	11968956
Application Number:	13363202
International Application Number:	
Confirmation Number:	4323
Title of Invention:	EMULATED RADIO FREQUENCY IDENTIFICATION
First Named Inventor/Applicant Name:	Peter Zatloukal
Customer Number:	60172
Filer:	Ryan Christopher Fox/Allyson Dahmen
Filer Authorized By:	Ryan Christopher Fox
Attorney Docket Number:	120083-184655
Receipt Date:	31-JAN-2012
Filing Date:	
Time Stamp:	19:19:54
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$530
RAM confirmation Number	8675
Deposit Account	500393
Authorized User	

File Listing:

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

1		Varia_P064C_Application.pdf	1005826 620d6101e635521cff64925777259f1ecb685cac	yes	24
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Specification		1	15	
	Claims		16	23	
	Abstract		24	24	
Warnings:					
Information:					
2	Oath or Declaration filed	Varia_P064C_Declaration.pdf	89249 8da160b9686f8bf3f306a186f81516b8b76759ae	no	2
Warnings:					
Information:					
3	Application Data Sheet	Varia_P064C_ADS.pdf	1023802 362ef1ce23a6aa7c76dd980fb1c136293dfb557d	no	5
Warnings:					
Information:					
4		Varia_P064C_PA.pdf	214911 36c68fddf4badeb4fc1328b291dc7484f88f0aa2	yes	7
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Preliminary Amendment		1	1	
	Specification		2	2	
	Claims		3	6	
	Applicant Arguments/Remarks Made in an Amendment		7	7	
Warnings:					
Information:					
5	Drawings-only black and white line drawings	Varia_P064C_Drawings.pdf	644366 e96a46324ab64ea143be1b0a89e3bb21a8c00eb3	no	12
Warnings:					
Information:					

6	Fee Worksheet (SB06)	fee-info.pdf	33079 5a0ce12a8aba45933515ce4ba8269ab636f69cf9	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	3011233		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

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

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

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

EMULATED RADIO FREQUENCY IDENTIFICATION

RELATED APPLICATION

This application is a non-provisional application of provisional application number 60/478,245, titled "Radio Frequency Identification Using Mobile Communication Device", filed on June 13, 2003, and claims priority to said provisional application.

FIELD OF THE INVENTION

The present invention relates to the fields of security, communication, and data processing. More specifically, the present invention is related to an emulated radio frequency data input method.

BACKGROUND OF THE INVENTION

It wasn't that long ago, even residents in medium size cities still feel secured enough to leave their homes unlocked and/or their garages open. In general, one can access one's place of employment, including parking facilities as well as one's office without identification or access keys.

In the world of commerce, things were also simpler. One typically may shop and consume goods and services, at relatively low prices, without having to be affiliated with any programs or entities.

However, the world has become a lot more complex in recent years. Virtually, all properties of any value, premises, including one's home, have to be secured, even for relatively small towns and cities. One can hardly shop and consume any goods and services, without having signed up with some promotional frequent "usage" programs or becoming affiliated with the commercial entities. The employment of affinity marketing has reached a point even neighboring grocery chains employ them, and not just airlines, hotels, or wholesale discount retailers.

As a result, it is not uncommon to find a person having to carry a number of physical keys and access/identification cards/tags to gain access to secured premises, such as one's home, office, parking garage, and so forth. Additionally, the

person is likely to carry a number of remote security control devices, such as a key with remote control for gaining access to his/her vehicle, a garage door opener for gaining access to the person's garage at home, and so forth. The person is also likely to carry a number of affinity identification cards with member identifiers identifying the person as being affiliated with certain co-op or frequent patronage programs, such as wholesale discount retailers, airline or hotel frequent traveler program, and so forth, that entitle the person to certain benefits, such as discounts or rewards.

BRIEF DESCRIPTION OF THE DRAWINGS

The present invention will be described by way of exemplary embodiments, but not limitations, illustrated in the accompanying drawings in which like references denote similar elements, and in which:

Figure 1 illustrates an overview of the present invention, in accordance with one embodiment;

Figure 2 illustrates a method view of the present invention, in accordance with one embodiment;

Figure 3 illustrates the relevant hardware elements of the device of **Fig. 1** in further details, in accordance with one embodiment;

Figure 4 illustrates the transceiver of **Fig. 3** in further details, in accordance with another embodiment;

Figures 5a-5b illustrate the exploded views of two embodiments of the mobile communication device of **Fig. 1**;

Figures 5c-5d illustrate an exploded view of another embodiment of the mobile communication device of **Fig. 1**;

Figure 6a-6h illustrate a number of example screens of an end user interface, suitable for use to practice the present invention, in accordance with one embodiment; and

Figure 7 illustrates the operational flow of the relevant aspects of the software in support of the RFID feature of the present invention, in accordance with one embodiment.

DETAILED DESCRIPTION OF EMBODIMENTS OF THE INVENTION

Embodiments of the present invention includes an emulated RFID method, more specifically, an emulated RFID method, using a mobile communication device, including the device itself, and certain hardware and/or software embodied therein for the practice of the emulated RFID method.

In the following description, various aspects of the illustrative embodiments of the present invention will be described. However, alternate embodiments may be practiced with only some or all aspects of the illustrative embodiments of the present invention. For purposes of explanation, specific numbers, materials and configurations are set forth in order to provide a thorough understanding of the present invention. However, alternate embodiments may be practiced without the specific details. In other instances, well-known features are omitted or simplified in order not to obscure the essence of the illustrative embodiments of the present invention.

Terminology

Parts of the description will be presented in data processing terms, such as data, selection, retrieval, generation, and so forth, consistent with the manner commonly employed by those skilled in the art to convey the substance of their work to others skilled in the art. As well understood by those skilled in the art, these quantities take the form of electrical, magnetic, or optical signals capable of being stored, transferred, combined, and otherwise manipulated through electrical and/or optical components of a processor and its subsystems.

Part of the descriptions will employ various abbreviations, including but are not limited to:

CDROM	Compact Disc Read Only Memory
DDRAM	Dynamic Direct Random Access Memory
DVD	Digital Versatile Disc
EEPROM	Electrically Eraseable Programmable Read-Only-

	Memory
HTTP	HyperText Transmission Protocol
SDRAM	Static Direct Random Access Memory
SMS	Small Messaging Service

The term "number" as used in this application to describe a data, including both its usage in the specification and the claims, typically refers to numeric data, as the word "number" is conventionally used in mathematics. However, in certain contexts, the "number" may also include alphabet or special characters, as the term is conventionally understood by those skilled in the art in those contexts. For examples, a driver's license number, a passport number, an employee number, or a student ID number, as each of these terms is conventionally used, often includes one or more alphabets or special characters, even though they are referred to as "numbers". The term accordingly is to be given the meaning that is consistent with the context under which the term is used.

Section Headings, Order of Descriptions and Embodiments

Section headings are merely employed to improve readability, and they are not to be construed to restrict or narrow the present invention.

Various operations will be described as multiple discrete steps in turn, in a manner that is most helpful in understanding the present invention, however, the order of description should not be construed as to imply that these operations are necessarily order dependent. In particular, these operations need not be performed in the order of presentation.

The phrase "in one embodiment" is used repeatedly. The phrase generally does not refer to the same embodiment, however, it may. The terms "comprising", "having" and "including" are synonymous, unless the context dictates otherwise.

Overview

Refer now to **Figure 1**, wherein a block diagram illustrating an overview of the present invention **100**, in accordance with one embodiment, is shown. As illustrated, for the embodiment, mobile communication device **102** is equipped with hardware and/or software elements **104** to perform its primary function, which is to facilitate a user of device **102** to engage in communication with another user of another communication device (not shown). In various embodiments, the communication may be audio (such as phone calls), textual (such as messaging) and/or visual (such as airtexting using light sources). Additionally, for the embodiment, mobile communication device **102** is equipped with hardware and/or software elements **106** to facilitate provision or transfer of a key/identifier in a form a radio frequency signal **110**, which may be read e.g. by a radio frequency identifier (RFID) reader **120**. In turn, the provision of RFID **110** may be responded to by a system (not shown) with which RFID reader **120** is a part or coupled to.

As depicted in **Fig. 1**, blocks **104** and **106** "intersect" with one another. The "intersection" represents the fact that in preferred embodiments of the present invention, substantial portions of the hardware and/or software elements employed to provide a RFID, are the same elements employed to facilitate the primary function of device **102**, i.e. to facilitate a user in communicating with another user of another communication device.

In other words, illustrative embodiments of the present invention advantageously leverage on existing elements of mobile communication device **102**, and supplement them, to enable mobile communication device **102** to be able to provide a RFID, emulating a RFID transponder, as well as facilitating user communication.

As will be described in more detail below, in preferred embodiments, mobile communication device **102** is equipped to provide RFID, emulating an active and/or a passive RFID transponder.

Further, RFID **110** may be any keys and/or identifiers, including but not limited to security keys, such as garage door "keys", exterior or interior door keys, or identifiers, such as, employee numbers, driver's license numbers, social security

numbers, credit card numbers (optionally, including expiration dates), affinity program member identifiers, and so forth.

Continue to refer to **Fig. 1**, except for the present invention incorporated therein, mobile communication device **102** represents a broad range of mobile communication devices known in the art, including but are not limited to wireless mobile phones and personal digital assistants equipped with communication capability.

The term "wireless mobile phone" as used herein, including the specification and the claims, refers to the class of telephony devices equipped to facilitate a user in communicating with another user of another communication device, notwithstanding the user's movement around different geographic areas, so long the wireless mobile phone is in contact with a base/service station of a wireless network service provider. The term includes the analog as well as the digital subclasses. Communication may be voice and/or data, audio, textual and/or visual. The other user/communication device may be mobile or land line based.

RFID reader **120** represents a broad range of such devices known in the art or to be designed. Currently, most RFID readers **120** employ proprietary formats/protocols. That is, RFID readers **120** of different manufacturers tend to employ different frequencies, amplitudes, and/or keying schemes (which may be frequency shifting keying (FSK), amplitude shifting keying (ASK) or phase shifting keying (PSK)).

Various embodiments of the methods of the present inventions, including elements **106**, in particular, added elements, will be described in turn below.

Method

Figure 2 illustrates a method view of the present invention, in accordance with one embodiment. As illustrated, device **102** is first provided with the RFIDs, block **202**. The RFIDs may be provided in any one of a number of known or to be designed manners, including but are not limited to

- manual entry, using a keypad of device **102**,
- read into device **102**, from an access/identification card, using a magnetic or optical card reader of device **102**,

- downloaded into device **102**, from a coupled computing device, through a serial/parallel port of device **102** or through a network interface of device **102** using SMS or HTTP messages.

Typically, provision of a RFID will include the manner the RFID is to be outputted, i.e. signaled. As alluded to earlier, the manner it is to be signaled is dependent on the format/protocol employed by the intended RFID reader **120**. For examples, for a garage door key, the format/protocol employed by RFID reader **120** of the garage opener system, and for an affinity program member identifier, the format/protocol employed by RFID reader **120** of the point-of-sale system of the entity offering the affinity program.

Alternatively, a default signaling format/protocol, such as an industry standard, the most popular proprietary format/protocol, or a selected proprietary format/protocol may be assumed instead, when one is not provided.

During operation, in response to a user instruction, typically after the user has selected the RFID to be outputted from a number of RFIDs stored in device **102**, block **203**, device **102** outputs the selected RFID as instructed, emulating an active RFID transponder, block **204**.

For the embodiment, one RFID, e.g. an access key/identifier (such as an employee number), may also be selected/designated as a default RFID, the output of which may be emulated in a passive manner. That is, the selected/designated default RFID will be outputted automatically, whenever device **102** is within the proximal presence, or more specifically, the operational space, of an intended RFID reader **120**.

Accordingly, device **102** monitors for probing signals of an intended RFID reader **120** (or a type of RFID readers **120**), to determine whether device **102** is within the operational space of such a RFID reader **120**, block **205**. On so determining, device **102** outputs the designated RFID automatically, emulating a passive RFID transponder, block **206**.

A Hardware/Software Implementation

Figure 3 illustrates the relevant elements of device **102**, in accordance with one embodiment. As illustrated, for the embodiment, device **102** includes processor **302**, memory **304**, persistent store **306**, transceiver **308**, and a number of other components **310**, coupled to each other via bus **312**.

Persistent store **306** and memory **304** are employed to store permanent and working copies of a software implementation of the operating logic **320** of device **102**, including the supplemental RFID feature **322**. In various embodiments, persistent store **306** may be an EEPROM (or like kind variants, such as a Flash Memory, a Memory Stick), a magnetic or optical disk drive, a CDROM, a DVD drive and so forth. Memory **304** may be any SDRAM, DDRAM or other high speed volatile as way as non-volatile storage devices known in the art.

Processor **302** is employed to execute operating logic **320**, including RFID feature **322**. As will be readily apparent from the description to follow, operating logic **320** may be implemented in any one of a number of suitable system programming languages, including but not limited to high level languages that may be compiled into executable instructions supported by processor **302**. Processor **302** may be any one of a number of processors designed or to be designed for mobile devices.

Except for transceivers **308**, RFID feature **322** and the manner the various elements of **Fig. 3** are used to practice the present invention, the other illustrated elements are known in the art, and accordingly will not be further described. One embodiment of transceiver **308** will be described referencing **Fig. 4**, and one embodiment of RFID feature **322** will be described, referencing **Fig. 6-7**.

As described earlier, processor **302**, memory **304**, persistent store **306** and bus **312** may be shared elements of device **102**, also employed to implement the primary communication function of device **102**. However, in alternate embodiments, dedicated elements may be employed for some or all of these elements instead.

In one embodiment, device **102** is a wireless mobile telephone, an exploded view of which is illustrated in **Fig. 5a**. Wireless mobile phone **500**, in addition to the earlier described elements, also includes display **506**, control buttons **504**, keypad

502, antenna **508**, body **512** and cover **514**. Body **512** is substantially rectangular in shape. Further, body **512** is palm-sized or smaller.

For the embodiment, cover **514** includes embedded electronic components having instructions, data, and/or locations to obtain such instructions and/or data to personalize, customize and/or enhance phone **500**. Phone **500** includes complementary electronic component interface **516** in support of such personalization, customization and/or enhancement.

Cover **514** may form a part of housing **512**, i.e. a required element to complete phone **500**, or it may be an accessory to be adorned by phone **500**, i.e. not a required element to complete phone **500**.

In another embodiment, device **102** is a PDA, an exploded view of which, is illustrated in **Fig. 5b**. PDA **502**, in addition to the earlier described elements, also includes display **524**, control buttons **522**, antenna **526**, body **532**, and cover **534**. Body **530** is also substantially rectangular in shape, as well as palm-sized or smaller.

Similarly, for the embodiment, cover **534** includes embedded electronic components having instructions, data, and/or locations to obtain such instructions and/or data to personalize, customize and/or enhance PDA **520**. PDA **520** includes complementary electronic component interface **536** in support of such personalization, customization and/or enhancement.

Cover **534** may form a part of housing **532**, i.e. a required element to complete PDA **520**, or it may be an accessory to be adorned by PDA **520**, i.e. not a required element to complete PDA **520**.

Figure 5c-5d illustrate yet another embodiment of device **102**, another wireless mobile telephone, an exploded view of which is illustrated. Wireless mobile phone **540** is similarly constituted as the earlier described embodiments, including body **542** and cover **544**. However, body **542** has a substantially boomerang or banana shape. Body **542** is also typically palm-sized or smaller.

For the embodiment, cover **544** also includes embedded electronic components having instructions, data, and/or locations to obtain such instructions and/or data to personalize, customize and/or enhance phone **540**. Phone **540** includes complementary electronic component interface (not shown) in support of such personalization, customization and/or enhancement.

Cover **544** may form a part of housing **542**, i.e. a required element to complete phone **540**, or it may be an accessory to be adorned by phone **540**, i.e. not a required element to complete phone **540**.

In all or selected one(s) of these embodiments, some or all elements **106** in support of the RFID feature of the present invention may be provided through embedded electronic components of the housing/accessory covers.

Smart covers are the subject matters of subject matter of co-pending U.S. Application, number 10/087,098, filed March 1, 2002, entitled "Personalizing Electronic Devices and Smart Covering", and U.S. Application, number <insert>, filed May 2, 2003, entitled "Personalization of Mobile Electronic Devices and Smart Accessory Cover", which specifications are hereby fully incorporated by reference.

While all three embodiments of **Fig. 5a-5d** have been illustrated with smart covers and external antennas. In alternate embodiments, the present invention may be practiced without smart covers and/or external antennas. The present invention may be practiced with conventional covers, without embedded intelligence and/or internal antennas.

Transceiver

Figure 4 illustrates transceiver **308** of **Fig. 3** in further details, in accordance with one embodiment. As illustrated, for the embodiment, transceiver **308** includes a joint radio frequency (RF) transmit/receive (TX/RX) section **402**, separate signal processing sections **408** and **410** for a range of higher frequencies and a range of low frequencies, switch **404** and splitter **406**. The elements are coupled to each other as shown.

For the embodiment, joint RF TX/RX **402** includes in particular, switch **420**, filters **412** and **422**, low noise amplifier **424** and power amplifier **414**, coupled to one another as shown. Switch **420** is employed to switch between transmitting and receiving RF signals. Filters **412** and **422**, low noise amplifier **424** and power amplifier **414** are employed to perform their conventional filtering and amplification functions on the transmit and receive signals.

For transmission, switch **404** switches between the output of high frequency signal processing **410** and the output of low frequency signal processing **408** to the transmit path of Joint RF TX/RX **402**.

For reception, splitter **406** splits the output of the receive path of Joint RF TX/RX **402** and provides the receive signal to high frequency signal processing **410** as well as low frequency signal processing **408**.

For the embodiment, high frequency signal processing **410** performs up and down conversions of the transmit and receive signals of the primary communication function of mobile communication device **102**, e.g. the transmit and receive signals of a voice call. In one embodiment, the transmit and receive signals are transmitted and received in the GHz ranges.

Low frequency signal processing **408**, on the other hand, performs up and down conversions of the transmit and receive signals of the RFID feature, e.g. the output signal of a RFID to emulate either an active or a passive transponder, and the received probing signal of a RFID reader. In one embodiment, the transmit and receive signals are transmitted and received in the MHz ranges.

Up and down conversions, filtering, amplifications, and so forth, in and of themselves, except for the manner they are being used to provide RFIDs using a mobile communication device, are known in the art, accordingly, will not be further described.

RFID Feature

Figures 6-7 illustrate selected portions of an example end user interface, and the operational flow of the relevant aspects of RFID feature **322** respectively, in accordance with one embodiment. **Figure 6** comprises **Fig. 6a-6h**.

As illustrated in **Fig. 6a**, for the embodiment, the user interface includes screen **602** having selectable text display "RFID" **604**, with which a user may interact to launch the RFID function (by selecting text display **604**, using e.g. control keys **504**).

As illustrated in **Fig. 6b**, for the embodiment, the user interface further includes screen **612** enumerating a list of RFIDs **614** stored in device **102**. List **614** may be displayed for example, among other situations, in response to a user's

selection of text display **604** of screen **602**. A user may select one of the RFIDs, and instruct device **102** to output the selected RFID in a form of an appropriate radio frequency signal, emulating provision of the RFID by an active RFID transponder, using e.g. a "send/call" key of device **102**.

Screen **612** also includes selectable "option" button **616**, with which a user may interact to display a list of RFID management options, using e.g. control keys **504**.

As illustrated in **Fig. 6c**, for the embodiment, the user interface further includes screen **622** enumerating a list of RFID management options **624**, such as "add", "edit" or "delete" RFIDs. List **624** may be displayed for example, among other situations, in response to a user's selection of "option" **616** of screen **612**.

As illustrated in **Fig. 6d**, for the embodiment, the user interface further includes screen **632** displaying field **634**, through which a user may enter/edit a RFID name. Field **634** may be displayed for example, among other situations, in response to a user's selection of "add" or "edit" of screen **622**.

As illustrated in **Fig. 6e**, for the embodiment, the user interface further includes screen **642** displaying field **644**, through which a user may enter/edit a RFID. Field **644** may be displayed for example, among other situations, in response to a user indicating completion of entry of a RFID name using screen **632**.

As illustrated in **Fig. 6f**, for the embodiment, the user interface further includes screen **652** displaying a list of RFID types **654**, with which a user may select and associate with a RFID. List **654** may be displayed for example, among other situations, in response to a user indicating completion of entry of a RFID, using screen **642**, thereby allowing the user to associate a RFID reader type with the entered RFID.

Each RFID reader type is assumed to have a deterministic RFID signaling format/protocol. Accordingly, by selecting the RFID reader type, the user is effectively selecting or specifying the RFID signaling format/protocol. In alternate embodiment, a user may be requested to select the RFID signaling format/protocol explicitly, as opposed to implicitly, in the illustrated embodiment.

As illustrated in **Fig. 6g**, for the embodiment, the user interface further includes screen **662** displaying a request **664** to confirm whether a RFID is to be

selected or designated as the default RFID to be used for emulation of passive transponders. Request **664** may be displayed for example, among other situations, in response to a user selecting a RFID reader type, using screen **652**, thereby allowing the user to (implicitly) associate a RFID format/protocol with the entered RFID.

As illustrated in **Fig. 6f**, for the embodiment, the user interface further includes screen **672** displaying a RFID and its details, including but not limited the intended RFID reader type, whether to be designated as the default RFID for use in emulating passive RFID. Request **674** may be displayed for example, among other situations, in response to a user selecting the "edit" option, using screen **622**, or on completion of designating a RFID as the default RFID for emulating passive transponders, using screen **662**

Operationally, as illustrated in **Fig. 7**, upon receipt of a request to launch the RFID function, support logic of the RFID feature **322** is loaded and given execution control, block **702**. Thereafter, support logic **322** waits for user inputs, block **704**.

On receipt of a user input/request, support logic **322** determines the nature of the input/request, block **706**, taking into the context, i.e. the portion of the user interface being displayed, and with which the user just interacted in submitting the input/request.

As illustrated, on determining that the user has requested a current display list to be scrolled (e.g. RFID list **614** of screen **612**), support logic **322** causes the list to be scrolled as requested. Thereafter, support logic **322** returns to block **708** and waits for further input.

Similarly, on determining that the user has requested a selected RFID to be sent (emulating output of the RFID by an active RFID transponder), support logic **322** causes the RFID to be outputted in a form of an appropriate RF signal (in accordance with the associated intended RFID reader type). Thereafter, support logic **322** again returns to block **710** and waits for further input.

On determining that the user has requested a list of options to be displayed (e.g. selection of "option" **616** of screen **612**), support logic **322** causes the list of options to be displayed as requested. Thereafter, support logic **322** returns to block **712** and waits for further input.

On determining that the user has requested to add a RFID (e.g. selection of "Add" of screen **622**), support logic **322** facilitates addition of a RFID (e.g. successively guiding user entry of a RFID using screens **632-662**. Thereafter, support logic **322** returns to block **714** and waits for further input.

These are a few examples of user inputs/requests support logic **322** may support. The present invention contemplates other user inputs/requests may also be supported, and handled accordingly, block **716.**

Conclusion and Epilogue

Thus, it can be seen from the above descriptions, a novel emulated RFID input method, using a mobile communication device, has been described. The present invention advantageously improved the ease of use for a user to provide data captured in a device to another system, especially for data captured in e.g. a mobile device.

While the present invention has been described in terms of the earlier described embodiments, those skilled in the art will recognize that the invention is not limited to the embodiments described. The present invention can be practiced with modification and alteration within the spirit and scope of the appended claims. Thus, the description is to be regarded as illustrative instead of restrictive on the present invention.

CLAIMS

What is claimed is:

1. A method for providing a radio frequency identification (RFID) comprising:

facilitating a user in providing an instruction to a mobile communication device to output a first data in a form of a first radio frequency signal to emulate output of the first data by an active RFID transponder, the mobile communication device being also equipped to facilitate a user in communicating with a user of another communication device, with the communication being facilitated at least in part over a wireless network; and

in response, outputting the first data in the form of a radio frequency signal, emulating output of the first data by an active RFID transponder as instructed by the user.

2. The method of claim 1, wherein said first data comprises a selected one of a security key and an identifier.

3. The method of claim 2, wherein said first data comprises a security key, and said security key comprises a door key.

4. The method of claim 3, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

5. The method of claim 2, wherein said first data comprises an identifier, and said identifier comprises a selected one of a social security number, a driver's license number, an affinity program account number, and a credit card number.

6. The method of claim 1, wherein the method further comprises facilitating the user in selecting the first data from a plurality of data using the mobile communication device.

7. The method of claim 1, wherein the method further comprises facilitating provision of the first data to the mobile communication device.

8. The method of claim 7, wherein said facilitating of the provisioning of the data to the mobile communication device, including facilitating provision of at least a signaling attribute associated with the outputting of the data in the form of a radio frequency signal.

9. The method of claim 1, wherein the method further comprises

detecting for proximal presence of a RFID reader by the mobile communication device; and

on detection, outputting a second data in a form of a second radio frequency signal, using the mobile communication device, emulating output of the second data by a passive RFID transponder.

10. The method of claim 9, wherein said detecting comprises sensing for a probing radio frequency signal of the RFID reader by the mobile communication device.

11. The method of claim 9, wherein said first and second data are the same data.

12. The method of claim 1, wherein the mobile communication device is a selected one of a wireless mobile phone and a personal digital assistant equipped with communication capability.

13. A method for providing a radio frequency identifier (RFID), comprising:

detecting for proximal presence of a RFID reader by a mobile communication device, the mobile communication device being also equipped to facilitate a user in communicating with a user of another communication device, with the communication being facilitated at least in part over a wireless network; and

on detection, outputting a data in a form of a radio frequency signal, using the mobile communication device, emulating output of the data by a passive RFID transponder.

14. The method of claim 13, wherein said detecting comprises sensing for a probing radio frequency signal of the RFID reader by the mobile communication device.

15. The method of claim 13, wherein said data comprises a security key.

16. The method of claim 15, wherein said security key comprises a door key.

17. The method of claim 16, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

18. The method of claim 13, wherein the method further comprises facilitating provision of the data to the mobile communication device.

19. The method of claim 18, wherein said facilitating of the provisioning of the data to the mobile communication device, including facilitating provision of at least a signaling attribute associated with the outputting of the data in the form of a radio frequency signal.

20. The method of claim 13, wherein the mobile communication device is a selected of a wireless mobile phone and a personal digital assistant equipped with communication capability.

21. A mobile communication device comprising:

a transmitter to transmit a radio frequency signal;

a storage medium to store a first data and instructions to operate the transmitter to selectively (a) output the first data in a form of a radio frequency signal, in response to a user instruction, emulating output of the first data by an active radio

frequency identifier (RFID) transponder, and (b) facilitate a user to communicate with another user of another communication device, with the communication being facilitated at least in part over a wireless network; and

a processor coupled to the transmitter and the storage to execute the instructions.

22. The device of claim 21, wherein said first data comprises a selected one of a security key and an identifier.

23. The device of claim 22, wherein said first data comprises a security key, and said security key comprises a door key.

24. The device of claim 23, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

25. The device of claim 22, wherein said first data comprises an identifier, and said identifier comprises a selected one of a social security number, a driver's license number, an affinity program account number, and a credit card number.

26. The device of claim 21, wherein the instructions are further designed to facilitate the user in selecting the first data from a plurality of data, and instructing said output.

27. The device of claim 21, wherein the instructions are further designed to facilitate provision of the first data to the mobile communication device.

28. The device of claim 27, wherein the instructions are further designed to include with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the first data in the form of a radio frequency signal.

29. The device of claim 21, wherein the instructions are further designed to detect for proximal presence of a RFID reader; and

on detection, outputting a second data in a form of a second radio frequency signal, emulating output of the second data by a passive RFID transponder.

30. The device of claim 29, wherein the instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

31. The device of claim 29, wherein said first and second data are the same data.

32. The device of claim 21, wherein the mobile communication device is a selected of a wireless mobile phone and a personal digital assistant equipped with communication capability.

33. A mobile communication device comprising:

a transmitter to transmit a radio frequency signal;

a storage medium to store a first data and instructions to operate the transmitter to selectively (a) detect for proximal presence of a radio frequency identifier (RFID) reader, and on detection, output a data in a form of a radio frequency signal, emulating output of the data by a passive RFID transponder, and (b) facilitate a user to communicate with another user of another communication device, with the communication being facilitated at least in part over a wireless network; and

a processor coupled to the transmitter and the storage to execute the instructions.

34. The device of claim 33, wherein said instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

35. The device of claim 33, wherein said data comprises a security key.

36. The device of claim 35, wherein said security key comprises a door key.

37. The device of claim 36, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

38. The device of claim 33, wherein the instructions are further designed to facilitate provision of the data to the mobile communication device.

39. The device of claim 38, wherein the instructions are further designed to include with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the data in the form of a radio frequency signal.

40. The device of claim 33, wherein the mobile communication device is a selected of a wireless mobile phone and a personal digital assistant equipped with communication capability.

41. A cover comprising:

a body designed to be mated with a mobile communication device equipped to facilitate a user to communicate with another user of another communication device, with the communication being facilitated at least in part over a wireless network; and

a storage medium embedded in said body, to store a selected one of a plurality of instructions and one or more locations to obtain all or a part of said instructions, the instructions being designed to operate a transmitter of the mobile communication device to output a first data in a form of a radio frequency signal, in response to a user instruction, emulating output of the first data by an active radio frequency identifier (RFID) transponder, using the mobile communication device.

42. The cover of claim 41, wherein said first data comprises a selected one of a security key and an identifier.

43. The cover of claim 42, wherein said first data comprises a security key, and said security key comprises a door key.

44. The cover of claim 43, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

45. The cover of claim 42, wherein said first data comprises an identifier, and said identifier comprises a selected one of a social security number, a driver's license number, an affinity program account number, and a credit card number.

46. The cover of claim 41, wherein the instructions are further designed to facilitate the user in selecting the first data from a plurality of data, and instructing said output.

47. The cover of claim 41, wherein the instructions are further designed to facilitate provision of the first data to the mobile communication device.

48. The cover of claim 47, wherein the instructions are further designed to include with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the first data in the form of a radio frequency signal.

49. The cover of claim 41, wherein the instructions are further designed to
detect for proximal presence of a RFID reader; and
on detection, outputting a second data in a form of a second radio frequency signal, emulating output of the second data by a passive RFID transponder.

50. The cover of claim 49, wherein the instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

51. The cover of claim 49, wherein said first and second data are the same data.

52. The cover of claim 41, wherein the cover is an accessory cover to be adorned by the mobile communication device.

53. A cover comprising:

a body designed to be mated with a mobile communication device equipped to facilitate a user to communicate with another user of another communication device, with the communication being facilitated at least in part over a wireless network; and

a storage medium embedded in said body, to store a selected one of a plurality of instructions and one or more locations to obtain all or a part of said instructions, the instructions being designed to operate the transmitter to detect for proximal presence of a radio frequency identifier (RFID) reader, and on detection, output a data in a form of a radio frequency signal, emulating output of the data by a passive RFID transponder, using the mobile communication device.

54. The cover of claim 53, wherein said instructions are further designed to sense for a probing radio frequency signal of the RFID reader.

55. The cover of claim 53, wherein said data comprises a security key.

56. The cover of claim 55, wherein said security key comprises a door key.

57. The cover of claim 56, wherein said door key comprises a selected one of a garage door key, an exterior door key, an interior door key, and a motor vehicle door key.

58. The cover of claim 53, wherein the instructions are further designed to facilitate provision of the data to the mobile communication device.

59. The cover of claim 58, wherein the instructions are further designed to include with said facilitating, provisioning of at least a signaling attribute associated with the outputting of the data in the form of a radio frequency signal.

60. The cover of claim 53, wherein the cover is an accessory cover to be adorned by the mobile communication device.

ABSTRACT OF THE DISCLOSURE

A mobile communication device is equipped with hardware and/or software components to enable the device to output a data in a form of a radio frequency signal, emulating outputting of the data by either an active or a passive RFID transponder. The data may be a security key or an identifier. Emulation of an active RFID transponder includes facilitating selection of the data and instruction to output by a user. Emulation of a passive RFID transponder includes detecting for proximal presence of a RFID reader. Either case, provision of the data to the mobile communication device may include provision of associated signal attribute(s).

Sheet No. ...5..

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)

The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

Declaration of inventorship (Rules 4.17(iv) and 51*bis*.1(a)(iv)) for the purposes of the designation of the United States of America:

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26*ter*).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: .....

.....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

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

Name: Peter Zatloukal

Residence: Kirkland, Washington
(city and either US state, if applicable, or country)

Mailing Address: 218 Main Street #480, Kirkland, WA 98033

Citizenship: US

Inventor's Signature: .....
(if not contained in the request, or if declaration is corrected or added under Rule 26*ter* after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: June 8, 2004
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26*ter* after the filing of the international application)

Name: G. Eric Engstrom

Residence: Kirkland, Washington
(city and either US state, if applicable, or country)

Mailing Address: 12415 Holmes Pt. Dr. NE, Kirkland, WA 98033

Citizenship: US

Inventor's Signature: .....
(if not contained in the request, or if declaration is corrected or added under Rule 26*ter* after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: June 8, 2004
(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26*ter* after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

Sheet No. ..6...

Continuation of Box No. VIII (i) to (v) DECLARATION

If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.

Continuation of Box No. VIII (iv)

Name: Cindy M. Smith

Residence: Kirkland, Washington

Mailing Address: 218 Main Street #673
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Citizenship: Canada

Inventor's Signature: CMSmith

Date: June 8, 2004

PTO/SB/14 (11-08)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention	EMULATED RADIO FREQUENCY IDENTIFICATION	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2

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

Applicant Information:

Applicant 1 Remove

Applicant Authority ◉ Inventor ◯ Legal Representative under 35 U.S.C. 117 ◯ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
	Peter		Zatloukal	

Residence Information (Select One) ◉ US Residency ◯ Non US Residency ◯ Active US Military Service

City	Kirkland	State/Province	WA	Country of Residence i	US

Citizenship under 37 CFR 1.41(b) i US

Mailing Address of Applicant:

Address 1	218 Main Street #480		
Address 2			
City	Kirkland	State/Province	WA
Postal Code	98033	Country i	US

Applicant 2 Remove

Applicant Authority ◉ Inventor ◯ Legal Representative under 35 U.S.C. 117 ◯ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
	G.	Eric	Engstrom	

Residence Information (Select One) ◉ US Residency ◯ Non US Residency ◯ Active US Military Service

City	Kirkland	State/Province	WA	Country of Residence i	US

Citizenship under 37 CFR 1.41(b) i US

Mailing Address of Applicant:

Address 1	12415 Holmes Pt. Dr. NE		
Address 2			
City	Kirkland	State/Province	WA
Postal Code	98033	Country i	US

Applicant 3 Remove

Applicant Authority ◉ Inventor ◯ Legal Representative under 35 U.S.C. 117 ◯ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
	Cindy	M.	Smith	

Residence Information (Select One) ◉ US Residency ◯ Non US Residency ◯ Active US Military Service

City	Kirkland	State/Province	WA	Country of Residence i	US

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention	EMULATED RADIO FREQUENCY IDENTIFICATION	

Citizenship under 37 CFR 1.41(b) [i]	CA		
Mailing Address of Applicant:			
Address 1	218 Main Street #673		
Address 2			
City	Kirkland	**State/Province**	WA
Postal Code	98033	**Country**[i]	US
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button.		Add	

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
☐ **An Address is being provided for the correspondence Information of this application.**			
Customer Number	60172		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	EMULATED RADIO FREQUENCY IDENTIFICATION		
Attorney Docket Number		**Small Entity Status Claimed**	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		**Sub Class (if any)**	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	12	**Suggested Figure for Publication (if any)**	

Publication Information:

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

Representative Information:

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

Please Select One:	◉ Customer Number	◯ US Patent Practitioner	◯ Limited Recognition (37 CFR 11.9)

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention	EMULATED RADIO FREQUENCY IDENTIFICATION	

Customer Number	60172

Domestic Benefit/National Stage Information:

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

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	10560262	2005-12-09
Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
10560262	a 371 of international	PCT/US04/18397	2004-06-10
Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
10560262	non provisional of	60478245	2003-06-13

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

Foreign Priority Information:

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

Remove

Application Number	Country [i]	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			○ Yes ◉ No

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

Assignee Information:

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

Assignee 1 Remove

If the Assignee is an Organization check here. ☒

Organization Name	Varia Holdings LLC

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	
	Application Number	
Title of Invention	EMULATED RADIO FREQUENCY IDENTIFICATION	

Mailing Address Information:			
Address 1	956 East 8th Street		
Address 2			
City	Brooklyn	**State/Province**	NY
Country i	US	Postal Code	11230
Phone Number		Fax Number	
Email Address			
Additional Assignee Data may be generated within this form by selecting the **Add** button.			Add

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Ryan C. Fox/			Date (YYYY-MM-DD)	2012-01-31
First Name	Ryan C.	Last Name	Fox	Registration Number	65369

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.