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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/762,347	12/23/2014	8918127	RMT-PT001.1	8030

3624 7590 12/03/2014

VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

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 150 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):

Rembrandt Messaging Technologies, LP, Bala Cynwyd, PA, Assignee (with 37 CFR 1.172 Interest);
Graham Merrett, Queensland, AUSTRALIA;

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.

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number 383651-991101	Application Number 13/762,347
	Applicant MERRETT, Graham	
	Filing Date February 7, 2013	Group Art Unit 3643

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	8,060,566	~~01 Oct 2008~~ November 15, 2011	~~McLean~~ Appleman			

Change(s) applied to document; /K.M./ 11/19/2014

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
/Stephen D Agosta/ (08/27/2014)	08/27/2014

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

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NOTICE OF ALLOWANCE AND FEE(S) DUE

3624 7590 11/12/2014

VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER
D AGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 11/12/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1	8030

TITLE OF INVENTION: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	02/12/2015

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

3624 7590 11/12/2014
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1	8030

TITLE OF INVENTION: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	02/12/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
D AGOSTA, STEPHEN M	2643	455-466000

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 credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ Applicant certifying micro entity status. See 37 CFR 1.29 — NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
- ❑ Applicant asserting small entity status. See 37 CFR 1.27 — NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
- ❑ Applicant changing to regular undiscounted fee status. — NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1	8030

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EXAMINER	
D AGOSTA, STEPHEN M	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 11/12/2014

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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.

Examiner-Initiated Interview Summary	**Application No.** 13/762,347	**Applicant(s)** MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	**Art Unit** 2643	

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

(1) *Stephen D'Agosta*. (3)_____.

(2) *Robert Leonard*. (4)_____.

Date of Interview: *31 October 2014*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☒103 ☒Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *Claims of record*.

Identification of prior art discussed: *Prior art of record*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

1. The examiner called the applicant's attorney to discuss an amendment to the claims (10/23/14 Amdt) to place them in condition for allowance.

2. While no agreement was reached, it is anticipated that the applicant will amend the claims and the examiner will include them in an Examiner's Amendment/Allowance..

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Stephen D'Agosta/ Primary Examiner, Art Unit 2643	

Notice of Allowability	Application No. 13/762,347	Applicant(s) MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	Art Unit 2643	AIA (First Inventor to File) Status No

-- 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 *the amendment rec'd on 10/23/14 and interview/Examiner's Amdt*.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on_____.
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 *50-69*. 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).

   Certified copies:

   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 _____.

/Stephen D'Agosta/
Primary Examiner, Art Unit 2643

The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Leonard on 10/31/14.

PLEASE AMEND THE CLAIMS AS FOLLOWS (which are based on the amendment received on 10/23/14):

50. (Currently Amended) A method of providing a messaging service for use in a wireless device of a sender, the method comprising:

receiving, by a message client running on the [[a]] wireless device of the sender, information associated with a destination address of a wireless device of a recipient, the ~~wireless device of the sender~~ message client capable of determining a transmission mode for sending an outgoing message to the ~~destination address~~ wireless device of the recipient, wherein the wireless device of the sender is capable of sending messages in a plurality of transmission modes comprising a first transmission mode and a second transmission mode;

determining, by the wireless device of the sender, whether the destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via a packet switched wireless local area network

(WLAN) base station to a server, and receiving a response from the server via the packet switched WLAN base station, the response providing an indication of whether the destination address corresponds to a subscriber of the service;

selecting, by the wireless device of the sender, a transmission mode from the plurality of transmission modes, wherein the wireless device of the sender selects the first transmission mode when the indication corresponds to a subscriber of the service, and the wireless device of the sender is capable of selecting the second transmission mode when the indication does not correspond to a subscriber of the service;

sending, by the wireless device of the sender, the outgoing message using the selected transmission mode,

wherein, when the selected transmission mode is the first transmission mode, the wireless device of the sender sends the outgoing message as one or more Internet protocol (IP) packets to the wireless device of the recipient via the packet switched WLAN base station,

wherein, when the selected transmission mode is the second transmission mode, the wireless device of the sender sends the outgoing message as a short message service (SMS) message to the wireless device of the recipient using the destination address via a base station that is associated with a cellular core network that is independent of the packet switched WLAN base station, and

wherein the request sent to the server and the response received from the server do not traverse the cellular core network.

60. (Currently Amended) A method of providing a messaging service for use in a wireless device of a sender, the method comprising:

receiving, by a message client running on the wireless device of the sender, information associated with a destination address of a wireless device of a recipient, the ~~wireless device of the sender~~ message client capable of determining a transmission mode for sending an outgoing message to the ~~destination address~~ wireless device of the recipient, wherein the wireless device of the sender is capable of sending messages in a plurality of

transmission modes comprising a first transmission mode and a second transmission mode;

determining, by the wireless device of the sender, whether the destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via a packet switched wireless local area network (WLAN) base station to a server, and receiving a response from the server via the packet switched WLAN base station, the response providing an indication of whether the destination address corresponds to a subscriber of the service;

selecting, by the wireless device of the sender, a transmission mode for sending the outgoing message to the wireless device of the recipient from the plurality of transmission modes, wherein the wireless device of the sender selects the first transmission mode when the indication corresponds to a subscriber of the service, and the wireless device of the sender is capable of selecting the second transmission mode when the indication does not correspond to a subscriber of the service,

wherein the wireless device of the sender is capable of sending, in the first transmission mode, the outgoing message as one or more Internet protocol (IP) packets to the wireless device of the recipient via the packet switched WLAN base station,

wherein the wireless device of the sender is capable of sending, in the second transmission mode, the outgoing message as a short message service (SMS) message to the wireless device of the recipient using the destination address via a base station that is associated with a cellular core network that is independent of the packet switched WLAN base station, and

wherein the request sent to the server and the response received from the server do not traverse the cellular core network.

Response to Amendment

The applicant's amendment, received on 10/23/14, prompted an interview between the examiner and Mr. Robert Leonard. They were able to agree on an Examiner's Amendment that placed the claims in condition for allowance.

Please allow claims 50-69 and cancel claims 1-49.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

1. The Terminal Disclaimer has been received/acknowledged.

2. The recent IDS has been reviewed/signed.

3. The Abstract and Specification modification changes are ENTERED. Support is found in the specification (Excerpt taken from email received from Mr. Leonard on 11/3/14):

"..Support for the amendment, "a transmission mode for sending an outgoing message to the ~~destination address~~ wireless device of the recipient" can be found throughout the specification by searching for the word "recipient".
For example, with reference to parent patent 8,401,576, Figure 1 shows "recipient" 120 and 125. Figure 2 shows the recipients mobile device receiving a new message sent from the sender".

4. The applicant has amended the claims as per the recommendations of the examiner. He therefore believes the claims to be allowable over at least the prior art of record.

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 Stephen D'Agosta whose telephone number is (571)272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jinsong Hu can be reached on 571-272-3965. 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.

/Stephen D'Agosta/
Primary Examiner, Art Unit 2643

Examiner-Initiated Interview Summary	**Application No.** 13/762,347	**Applicant(s)** MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	**Art Unit** 2643	

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

(1) *Stephen D'Agosta*. (3)_____.

(2) *Robert Leonard*. (4)_____.

Date of Interview: *31 October 2014*.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☒103 ☒Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: *Claims of record*.

Identification of prior art discussed: *Prior art of record*.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

1. The examiner called the applicant's attorney to discuss an amendment to the claims (10/23/14 Amdt) to place them in condition for allowance.

2. While no agreement was reached, it is anticipated that the applicant will amend the claims and the examiner will include them in an Examiner's Amendment/Allowance..

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/Stephen D'Agosta/ Primary Examiner, Art Unit 2643	

Notice of References Cited	Application/Control No. 13/762,347	Applicant(s)/Patent Under Reexamination MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	Art Unit 2643	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,987,985	01-2006	Purkayastha et al.	455/552.1
*	B	US-7,277,724	10-2007	Jones et al.	455/553.1
	C	US-			
	D	US-			
	E	US-			
	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.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	13762347
Filing Date	2013-02-07
First Named Inventor	Graham Merrett
Art Unit	2643
Examiner Name	Stephen D'Agosta
Attorney Docket Number	RMT-PT001.1

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	6707472	B1	2004-03-16	Grauman et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

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					

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FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347 13762347 - GAU: 2643
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen D'Agosta
	Attorney Docket Number	RMT-PT001.1

	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

EXAMINER SIGNATURE

Examiner Signature	/Stephen D Agosta/ (11/04/2014)	Date Considered	11/04/2014

*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.

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347 13762347 - GAU: 2643
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen D'Agosta
	Attorney Docket Number	RMT-PT001.1

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.

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

☒ A certification statement is not submitted herewith.

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	/Robert D. Leonard/	Date (YYYY-MM-DD)	2014-09-03
Name/Print	Robert D. Leonard	Registration Number	57,204

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.**

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

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 the Freedom of Information Act requires disclosure of these record s.

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.

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

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

CPC							
Symbol						Type	Version
H04W		4	/	14		F	2013-01-01
H04L		12	/	589		I	2013-01-01
H04L		12	/	5895		I	2013-01-01
H04L		51	/	36		I	2013-01-01
H04L		51	/	38		I	2013-01-01
H04W		4	/	18		I	2013-01-01
H04L		69	/	24		I	2013-01-01
H04W		8	/	183		I	2013-01-01
H04L		12	/	581		A	2013-01-01
H04L		51	/	04		A	2013-01-01
H04W		84	/	12		A	2013-01-01
H04W		88	/	06		A	2013-01-01
			/				
			/				
			/				

CPC Combination Sets								
Symbol					Type	Set	Ranking	Version
			/					
			/					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	20	
/STEVE D AGOSTA/ Primary Examiner.Art Unit 2643	11-4-14	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	50	3

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
455	466	H	0	4	W	4 / 00 (2009.01.01)						
CROSS REFERENCE(S)												
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											
455	412.1	412.2	414.1	414.2	418							
370	310.2	312	352	353	355							
370	356											

NONE (Assistant Examiner)	(Date)	Total Claims Allowed: 20	
/STEVE D AGOSTA/ Primary Examiner.Art Unit 2643 (Primary Examiner)	11-4-14 (Date)	O.G. Print Claim(s) 50	O.G. Print Figure 3

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

☐ 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
	1		17		33		49	16	65						
	2		18		34	1	50	17	66						
	3		19		35	2	51	18	67						
	4		20		36	3	52	19	68						
	5		21		37	4	53	20	69						
	6		22		38	5	54								
	7		23		39	6	55								
	8		24		40	7	56								
	9		25		41	8	57								
	10		26		42	9	58								
	11		27		43	10	59								
	12		28		44	11	60								
	13		29		45	12	61								
	14		30		46	13	62								
	15		31		47	14	63								
	16		32		48	15	64								

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	20	
/STEVE D AGOSTA/ Primary Examiner.Art Unit 2643	11-4-14	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	50	3

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
455	412.1, 412.2, 414.1, 418, 466	4-11-2013	SMD
370	310.2, 312, 352, 353, 355, 356	4-11-2013	SMD

SEARCH NOTES		
Search Notes	Date	Examiner
inventor search (CON - did dbl pat)	4-11-2013	SMD
Reviewed parent app/rejection and IDS art	4-11-2013	SMD
EAST DB's and Text	4-11-2013	SMD
No USC 101 or 112 issues	4-11-2013	SMD
APPLIED FOR FAI PROGRAM -- re-wrote NFOA into an FAI pre-interview communique	8-27-14	SMD
-- Dbl Pat rejection, spec changes (identified/discuss), claims 28, 34-35 rej while 29-33, 36-39 obj'ed	8-27-14	SMD
reviewed 10/23/14 amdt - discussed Examiner's Amdt w/attorney -- OK TO ALLOW via Exmr's Amdt	11/4/14	SMD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	updated above and text/claims	11-4-14	SMD

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	4	"6707472".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2014/11/04 07:22
L2	182	(cellular or wireless) same wlan same (internet adj protocol) same mode$2 same (packet near switch$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2014/11/04 07:25
L7	7	l2 and @ad<"20040724"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2014/11/04 07:26

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L3	180	(cellular or wireless) same wlan same (internet adj protocol) same mode$2 same (packet near switch$4)	US-PGPUB; USPAT; UPAD	AND	OFF	2014/11/04 07:25
L4	86414	"l2" and @ad<"20040724"	US-PGPUB; USPAT; UPAD	AND	OFF	2014/11/04 07:26
L5	42738	"l3" and @ad<"20040724"	US-PGPUB; USPAT; UPAD	AND	OFF	2014/11/04 07:26
L6	6	l3 and @ad<"20040724"	US-PGPUB; USPAT; UPAD	AND	OFF	2014/11/04 07:26

11/4/2014 7:29:00 AM
C:\Users\sdagosta\Documents\EAST\Workspaces\13_762347_allow.wsp

PART B - FEE(S) TRANSMITTAL

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

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

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

3624 7590 11/12/2014
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1	8030

TITLE OF INVENTION: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$960	$0	$0	$960	02/12/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
D AGOSTA, STEPHEN M	2643	455-466000

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 Volpe and Koenig, 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: Rembrandt Messaging Technologies, LP
(B) RESIDENCE: (CITY and STATE OR COUNTRY): Bala Cynwyd, PA

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 credits any overpayment, to Deposit Account Number 220493 (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
☐ Applicant certifying micro entity status. See 37 CFR 1.29
NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
☐ Applicant asserting small entity status. See 37 CFR 1.27
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
☐ Applicant changing to regular undiscounted fee status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Robert D. Leonard/ Date November 12, 2014
Typed or printed name Robert D. Leonard Registration No. 57204

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Electronic Patent Application Fee Transmittal	
Application Number:	13762347
Filing Date:	07-Feb-2013
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Filer:	Robert D. Leonard/Justin Slater
Attorney Docket Number:	RMT-PT001.1
Filed as Large Entity	

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	1501	1	960	960
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**960**

Electronic Acknowledgement Receipt	
EFS ID:	20669999
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	12-NOV-2014
Filing Date:	07-FEB-2013
Time Stamp:	16:20:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$960
RAM confirmation Number	2973
Deposit Account	220493
Authorized User	LEONARD, ROBERT D
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 1.19 (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)	RMT-PT001_1-IssueFee_PTOL85-20141112.PDF	330588 38784dd702c2de873e482a7873020fe4b76b4bc1	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30431 0fd709dc09ea36d267c44393e81bc6e1d6e44239	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	361019		

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

Doc Code: DIST.E.FILE **Document Description: Electronic Terminal Disclaimer - Filed**	PTO/SB/25 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION**
Application Number	13762347
Filing Date	07-Feb-2013
First Named Inventor	Graham Merrett
Attorney Docket Number	RMT-PT001.1
Title of Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action

☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.

Owner	Percent Interest
Rembrandt Messaging Technologies, LP	100%

The owner(s) of percent interest listed above 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 any patent granted on pending reference Application Number(s)

14307210 filed on 06/17/2014

14307184 filed on 06/17/2014

14307166 filed on 06/17/2014

as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. 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 any patent granted on the reference application 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 any patent granted on the instant application that would extend to the expiration date of the full statutory term of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application: 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 shortened by any terminal disclaimer filed prior to its grant.

◉ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request. ○ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
Applicant claims the following fee status: ○ Small Entity ○ Micro Entity ◉ Regular Undiscounted 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.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ◉ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number 57204 ○ A sole inventor ○ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application ○ A joint inventor; all of whom are signing this request	
Signature	/Robert D. Leonard/
Name	Robert D. Leonard

*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.

Electronic Patent Application Fee Transmittal	
Application Number:	13762347
Filing Date:	07-Feb-2013
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Filer:	Robert D. Leonard/Justin Slater
Attorney Docket Number:	RMT-PT001.1
Filed as Large Entity	

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Statutory or Terminal Disclaimer	1814	1	160	160
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($)
Miscellaneous:				
			Total in USD ($)	**160**

Doc Code: DISQ.E.FILE
Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 13762347

Filing Date: 07-Feb-2013

Applicant/Patent under Reexamination: Merrett et al.

Electronic Terminal Disclaimer filed on November 6, 2014

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt	
EFS ID:	20628343
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	06-NOV-2014
Filing Date:	07-FEB-2013
Time Stamp:	17:24:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$160
RAM confirmation Number	4030
Deposit Account	220493
Authorized User	LEONARD, ROBERT D
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 1.19 (Document supply 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	Electronic Terminal Disclaimer-Filed	eTerminal-Disclaimer.pdf	35381 b9c46fcf435f20bc761aefc4d80fb8b5fcf39fd8	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30204 101d8b4794f16c31a43941696921f0873390b1a5	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	65585		

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New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:	
Rembrandt Messaging Technologies LP	
Application No.: 13/762,347	Our File: RMT-PT001.1
Confirmation No.: 8030	Date: October 23, 2014
Filed: February 7, 2013	
For: MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	
Group: 2643	
Examiner: D'Agosta, Stephen M	

RESPONSE PURSUANT TO 37 C.F.R. §1.111

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

This Response and Terminal Disclaimer are filed in response to the First Action Interview Pilot Program Pre-Interview Communication dated September 4, 2014. A Petition for Extension of Time for one month pursuant to 37 CFR 1.136(a) is also being filed.

Please amend the application without prejudice or disclaimer as follows:

Amendments to the Claims:

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

1. - 49. (Canceled)

50. (New) A method of providing a messaging service for use in a wireless device of a sender, the method comprising:

receiving, by a wireless device of the sender, information associated with a destination address of a wireless device of a recipient, the wireless device of the sender capable of determining a transmission mode for sending an outgoing message to the destination address, wherein the wireless device of the sender is capable of sending messages in a plurality of transmission modes comprising a first transmission mode and a second transmission mode;

determining, by the wireless device of the sender, whether the destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via a packet switched wireless local area network (WLAN) base station to a server, and receiving a response from the server via the packet switched WLAN base station, the response providing an indication of whether the destination address corresponds to a subscriber of the service;

selecting, by the wireless device of the sender, a transmission mode from the plurality of transmission modes, wherein the wireless device of the sender selects the first transmission mode when the indication corresponds to a subscriber of the service, and the wireless device of the sender is capable of selecting the second

transmission mode when the indication does not correspond to a subscriber of the service;

sending, by the wireless device of the sender, the outgoing message using the selected transmission mode,

wherein, when the selected transmission mode is the first transmission mode, the wireless device of the sender sends the outgoing message as one or more Internet protocol (IP) packets to the wireless device of the recipient via the packet switched WLAN base station,

wherein, when the selected transmission mode is the second transmission mode, the wireless device of the sender sends the outgoing message as a short message service (SMS) message to the wireless device of the recipient using the destination address via a base station that is associated with a cellular core network that is independent of the packet switched WLAN base station, and

wherein the request sent to the server and the response received from the server do not traverse the cellular core network.

51. (New) The method of claim 50, further comprising:

displaying, by the wireless device of the sender, a result of the indication of whether the destination address corresponds to a subscriber of the service.

52. (New) The method of claim 50, further comprising:

selecting, by the wireless device of the sender, at least one type of permissible attachment based on whether the destination address corresponds to a subscriber of the service.

53. (New) The method of claim 50, further comprising:

denying, by the wireless device of the sender, when the destination address does not correspond to a subscriber of the service, any type of attachment.

54. (New) The method of claim 50, wherein the destination address is a mobile phone number.

55. (New) The method of claim 50, further comprising:

queuing the outgoing message for later delivery if the outgoing message cannot be delivered to the wireless device of the recipient.

56. (New) The method of claim 50, further comprising:

receiving, by the wireless device of the sender, a delivery confirmation message, via the packet switched WLAN base station, if the outgoing message is successfully delivered to the wireless device of the recipient, when the destination address corresponds to a subscriber of the service.

57. (New) The method of claim 56, further comprising:

displaying, by the wireless device of the sender, a delivery indication based on the received delivery confirmation message.

58. (New) The method of claim 50, further comprising:

displaying, by the wireless device of the sender, sent messages and received messages, wherein sent messages are displayed with a first characteristic and received message are displayed with a second different characteristic so as to distinguish the sent messages from the received messages.

59. (New) The method of claim 50, further comprising:

receiving, by the wireless device of the sender, presence information associated with the wireless device of the recipient if the destination address corresponds to a subscriber of the service; and

displaying, by the wireless device of the sender, the presence information associated with the wireless device of the recipient.

60. (New) A method of providing a messaging service for use in a wireless device of a sender, the method comprising:

receiving, by the wireless device of the sender, information associated with a destination address of a wireless device of a recipient, the wireless device of the sender capable of determining a transmission mode for sending an outgoing message to the destination address, wherein the wireless device of the sender is capable of sending messages in a plurality of transmission modes comprising a first transmission mode and a second transmission mode;

determining, by the wireless device of the sender, whether the destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via a packet switched wireless local area network (WLAN) base station to a server, and receiving a response from the server via the packet switched WLAN base station, the response providing an indication of whether the destination address corresponds to a subscriber of the service;

selecting, by the wireless device of the sender, a transmission mode for sending the outgoing message to the wireless device of the recipient from the plurality of transmission modes, wherein the wireless device of the sender selects the first transmission mode when the indication corresponds to a subscriber of the service, and the wireless device of the sender is capable of selecting the second transmission mode when the indication does not correspond to a subscriber of the service,

wherein the wireless device of the sender is capable of sending, in the first transmission mode, the outgoing message as one or more Internet protocol (IP)

packets to the wireless device of the recipient via the packet switched WLAN base station,

wherein the wireless device of the sender is capable of sending, in the second transmission mode, the outgoing message as a short message service (SMS) message to the wireless device of the recipient using the destination address via a base station that is associated with a cellular core network that is independent of the packet switched WLAN base station, and

wherein the request sent to the server and the response received from the server do not traverse the cellular core network.

61. (New) The method of claim 60, further comprising:

displaying, by the wireless device of the sender, a result of the indication of whether the destination address corresponds to a subscriber of the service.

62. (New) The method of claim 60, further comprising:

selecting, by the wireless device of the sender, at least one type of permissible attachment based on whether the destination address corresponds to a subscriber of the service.

63. (New) The method of claim 60, further comprising:

denying, by the wireless device of the sender, when the destination address does not correspond to a subscriber of the service, any type of attachment.

64. (New) The method of claim 60, wherein the destination address is a mobile phone number.

65. (New) The method of claim 60, further comprising:

queuing the outgoing message for later delivery if the outgoing message cannot be delivered to the wireless device of the recipient.

66. (New) The method of claim 60, further comprising:

receiving, by the wireless device of the sender, a delivery confirmation message, via the packet switched WLAN base station, if the outgoing message is successfully delivered to the wireless device of the recipient, when the destination address corresponds to a subscriber of the service.

67. (New) The method of claim 66, further comprising:

displaying, by the wireless device of the sender, a delivery indication based on the received delivery confirmation message.

68. (New) The method of claim 60, further comprising:

displaying, by the wireless device of the sender, sent messages and received messages, wherein sent messages are displayed with a first characteristic and received message are displayed with a second different characteristic so as to distinguish the sent messages from the received messages.

69. (New) The method of claim 60, further comprising:

receiving, by the wireless device of the sender, presence information associated with the wireless device of the recipient if the destination address corresponds to a subscriber of the service; and

displaying, by the wireless device of the sender, the presence information associated with the wireless device of the recipient.

Amendments to the Specification:

Please amend the Summary paragraph beginning on page 2, line 10 of the application as filed with the following amended paragraph. The amendment below is relative to the Preliminary Amendment filed June 17, 2014.

Summary

The disclosure of this application includes a method of providing a messaging service for use in a wireless device of a sender. The method includes receiving~~, by a message client running on the wireless device of the sender,~~ information associated with a destination address of a wireless device of a recipient. The destination address may be a mobile phone number. The ~~message client may be~~ wireless device of the sender is capable of determining a ~~delivery~~ transmission mode for sending an outgoing message to the destination address. The wireless device of the sender may be capable of sending messages via a packet switched base station in a first mode, for example, via a wireless local area network (WLAN) base station. ~~Alternatively, the~~ The wireless device of the sender may be capable of sending messages via a short message service (SMS) base station that is independent of the packet switched base station, in a second mode. The wireless device of the sender may determine whether the ~~wireless device of the recipient~~ destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via the packet switched base station to a server. The

wireless device of the sender may receive a response from the server via the packet switched base station. The request may be sent from the wireless device of the sender to the server without passing through ~~the SMS base station~~ a cellular core network. Similarly, the response may be received from the server at the wireless device of the sender without passing through the ~~SMS base station~~ cellular core network. The wireless device of the sender may send, if the ~~wireless device of the recipient~~ destination address corresponds to a subscriber of the service ~~for receiving the outgoing message via a packet switched bearer~~, the outgoing message as one or more Internet protocol (IP) packets to the wireless device of the recipient ~~using the destination address~~ via the packet switched base station in the first mode. ~~Alternatively, the~~ The wireless device of the sender may send, if the ~~recipient~~ destination address does not correspond to a subscriber of the service ~~for receiving the outgoing message via a packet switched bearer~~, the outgoing message as an SMS message to the wireless device of the recipient using the destination address via the SMS base station in the second mode.

Please amend the Abstract as filed in the Preliminary Amendment filed on June 17, 2014 as follows.

A method of providing a message service in a sender's wireless device is disclosed. The sender's wireless device may be capable of sending messages via a packet switched base station in a first mode, or via a short message service (SMS) base station that is independent of the packet switched base station, in a second mode. The sender's wireless device determines whether a ~~recipient's wireless device~~ destination address corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer. The sender's wireless device sends, if the ~~recipient's wireless device~~ destination address corresponds to a subscriber of the service, the outgoing message to the recipient's wireless device via the packet switched base station in the first mode. ~~Alternatively, if~~ If the ~~recipient's wireless device~~ destination address does not correspond to a subscriber of the service, the outgoing message [[is]] may be sent via the SMS base station in the second mode.

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 50-69 are pending. Claims 1-27 were previously canceled. Claims 28-49 are currently canceled. Claims 50-69 are newly added. In the specification, the Summary paragraph and the Abstract are amended.

First Action Interview Pilot Program

The Applicant thanks the Examiner for issuing the First Action Interview Pilot Program Pre-Interview Communication on September 4, 2014. After reviewing the Examiner's comments, the Applicant is waiving the first action interview. Accordingly, the First Action Interview Pilot Program Pre-Interview Communication (Form PTOL-413FP) is being treated as the first Office Action on the merits.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 29-33 and 36-39 contain allowable subject matter.

Double Patenting Rejection

Claims 28-39 are rejected under the judicially created doctrine of nonstatutory double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 8,401,576. Even though claims 28-39 are canceled, in order to expedite prosecution of the present application, a Terminal Disclaimer is submitted herewith. Withdrawal of the nonstatutory double patenting rejection is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 28, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,678,524 to Hansson et al. (hereinafter Hansson) in view of U.S. Patent Publication No. 2006/0056309 Maaniitty (hereinafter Maaniitty) and U.S. Patent No. 7,171,812 to Ye et al. (hereinafter Ye).

Claims 28, and 34-45 are canceled in the foregoing amendment. While the Applicant disagrees that Hansson, Maaniitty, and Ye, alone or in any combination, render the previously pending claims obvious, in order to advance prosecution of present application, new independent claims 50 and 60 include subject matter from dependent claims that was previously indicated as allowable. Withdrawal of the 35 U.S.C. 103(a) rejection of claims 28, and 34-35 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing, Applicant respectfully submits that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Rembrandt Messaging Technologies LP

By /Robert D. Leonard/
Robert D. Leonard
Registration No. 57,204

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RDL/jrrs
Enclosures (Terminal Disclaimer and Extension of Time)

PTO/SB/22 (03-13)
Approved for use through 3/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)	Docket Number (Optional) RMT-PT001.1
Application Number 13/762,347	Filed February 7, 2013
For MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	
Art Unit 2643	Examiner D'Agosta, Stephen M

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	Micro Entity Fee	
☑ One month (37 CFR 1.17(a)(1))	$200	$100	$50	$ 200
☐ Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$
☐ Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐ Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐ Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☑ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 220493.

☑ Payment made via EFS-Web.

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.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration number 57204.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Robert D. Leonard/	October 23, 2014
Signature	Date
Robert D. Leonard	(215) 568-6400
Typed or printed name	Telephone Number

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). 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 6 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.

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.

Electronic Patent Application Fee Transmittal	
Application Number:	13762347
Filing Date:	07-Feb-2013
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Filer:	Robert D. Leonard/Justin Slater
Attorney Docket Number:	RMT-PT001.1
Filed as Large Entity	

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with $0 paid	1251	1	200	200

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
		Total in USD ($)		**360**

Electronic Acknowledgement Receipt	
EFS ID:	20494255
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	23-OCT-2014
Filing Date:	07-FEB-2013
Time Stamp:	16:04:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$360
RAM confirmation Number	2487
Deposit Account	220493
Authorized User	LEONARD, ROBERT D
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 1.19 (Document supply 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		RMT-PT001_1-Reply_EFS-20141023.PDF	93796 3a8bf7ecc2ed3b0996ee7f0f45d15d76fdf79d43	yes	13

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Amendment Copy Claims/Response to Suggested Claims	2	7
Specification	8	9
Abstract	10	10
Applicant Arguments/Remarks Made in an Amendment	11	13

Warnings:

Information:

2	Extension of Time	RMT-PT001_1-ExtensionOfTime_EFS-20141023.PDF	187348 0f178ce8a3f46dc884beaf24961637ed1dd05f99	no	2

Warnings:

Information:

3	Fee Worksheet (SB06)	fee-info.pdf	32287 d122f1b0b2fbbdf7254911 6ffcf4873684cb79ad	no	2

Warnings:

Information:

Total Files Size (in bytes):	313431

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

Doc Code: DIST.E.FILE **Document Description: Electronic Terminal Disclaimer - Filed**	PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**
Application Number	13762347
Filing Date	07-Feb-2013
First Named Inventor	Graham Merrett
Attorney Docket Number	RMT-PT001.1
Title of Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action

☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.

Owner	Percent Interest
Rembrandt Messaging Technologies, LP	100%

The owner(s) with percent interest listed above 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 number(s)

8401576

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.

◯ Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.

◉ I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.	
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ◉ An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application Registration Number 57204 ◯ A sole inventor ◯ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors as evidenced by the power of attorney in the application ◯ A joint inventor; all of whom are signing this request	
Signature	/Robert D. Leonard/
Name	Robert D. Leonard

*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.

Doc Code: DISQ.E.FILE
Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 13762347

Filing Date: 07-Feb-2013

Applicant/Patent under Reexamination: Merrett et al.

Electronic Terminal Disclaimer filed on October 23, 2014

☒ APPROVED

This patent is subject to a terminal disclaimer

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

Electronic Acknowledgement Receipt	
EFS ID:	20501006
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	23-OCT-2014
Filing Date:	07-FEB-2013
Time Stamp:	16:11:26
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	Electronic Terminal Disclaimer-Filed	eTerminal-Disclaimer.pdf	32136 838b1aa44d30ef70a73ddeba23b02145e150edf8	no	2
Warnings:					
Information:					

Total Files Size (in bytes):	32136

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/762,347	Filing Date 02/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	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 $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).			
☐ 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	

APPLICATION AS AMENDED – PART II

AMENDMENT	10/23/2014	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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

LIE
/HALLEY MASSEY/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1	8030

3624 7590 09/04/2014

VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER	
D AGOSTA, STEPHEN M	
ART UNIT	**PAPER NUMBER**
2643	

NOTIFICATION DATE	DELIVERY MODE
09/04/2014	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eoffice@volpe-koenig.com

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

✓	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	04/11/2013	08/27/2014							
	1	✓	-							
	2	✓	-							
	3	✓	-							
	4	✓	-							
	5	O	-							
	6	O	-							
	7	✓	-							
	8	✓	-							
	9	✓	-							
	10	✓	-							
	11	✓	-							
	12	✓	-							
	13	✓	-							
	14	✓	-							
	15	✓	-							
	16	✓	-							
	17	O	-							
	18	✓	-							
	19	✓	-							
	20	✓	-							
	21	✓	-							
	22	✓	-							
	23	✓	-							
	24	✓	-							
	25	✓	-							
	26	✓	-							
	27	✓	-							
	28		✓							
	29		O							
	30		O							
	31		O							
	32		O							
	33		O							
	34		✓							
	35		✓							
	36		O							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

✓	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	04/11/2013	08/27/2014							
	37		O							
	38		O							
	39		O							

First Action Interview Pilot Program Pre-Interview Communication	Application No. 13/762,347	Applicant(s) MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	Art Unit 2643	AIA (First Inventor to File) Status No

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

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS,** WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

Applicant must, within the time period for reply, file: (1) A letter requesting not to have a first action interview; (2) A reply under 37 CFR 1.111 waiving the first action interview and First Action Interview Office Action; or (3) An Applicant Initiated Interview Request Form (PTOL-413A) electronically via EFS-Web, accompanied by a proposed amendment or arguments, and schedule the interview within 2 months from the filing of the request. A failure to respond to this communication will be treated as a request not to have an interview. If applicant waives the First Action Interview Office Action, the instant Pre-Interview Communication is deemed the first Office Action on the Merits. The next subsequent Office action may be made final if appropriate. See MPEP 706.07(a).

Status

1)☒ Responsive to communication(s) filed on *6-17-14*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

Disposition of Claims

2)☒ Claim(s) *1-39* is/are pending in the application.

2a) Of the above claim(s) *1-27* is/are withdrawn from consideration.

3)☐ Claim(s) _____ is/are allowed.

4)☒ Claim(s) *28, 34-35* is/are rejected.

5)☒ Claim(s) *29-33, 36-39* is/are objected to.

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

Application Papers

7)☒ The specification is objected to by the Examiner.

8)☒ The drawing(s) filed on *2-7-13* 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).

Priority under 35 U.S.C. § 119

9)☐ 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.

Contact Information

Examiner's Telephone Number: (571)272-7862

Examiner's Typical Work Schedule: M-F, 8am to 5pm

Supervisor's Name: Jinsong Hu

Supervisor's Telephone Number:

Attachment(s)	
1) ☐ Notice of References Cited (PTO-892)	3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
2) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.	4) ☐ Other: _____.

First Action Interview Pilot Program Pre-Interview Communication	Application No. 13/762,347	Applicant(s) MERRETT, GRAHAM	
	Examiner Stephen D'Agosta	Art Unit 2643	AIA (First Inventor to File) Status No

Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
	28-39		Dbl Patenting	Double Patenting rejection put forth (See parent, Clms 1-25, US 8,401,576)
	28, 34-35	Hansson, Maanitty, Ye	35 USC 103	Hansson (Abstract, Figs. 1-3, C1, L14 to C2, L35 and Cols 3-6 teach the majority. Maanitty Figures 3, 4a/4b, Abstract, Para's 15, 27-29 and Ye Abstract, Fig 2, C6, L47 to C7, L18 and C7, L26-60, also C2, L50-56 teach missing portions.
				The passages cite above track very similarly to the Non Final rejection of application 14/307184, see that office action for more details.
	29-33 and 36-39		Allowable	These dependent claims are identified as containing allowable material. The applicant should amend the claim(s) to include this/these limitations.

Expanded Discussion/Commentary

		The examiner objects to the amendments to the Specification. Further discussion is warranted to determine where support is found and to understand that no new matter is being added.
		A double patenting rejection is put forth (See parent application US 8,401,576)
		A rejection is put forth that is similar to the one put forth for application US 14/307184. Refer to that Non Final for a more detailed discussion.
		Claims 1-27 were cancelled and new claims 28-39 were added. Claims 28, 34-35 are rejected while claims 29-33 and 36-39 are identified as containing allowable material.

DATE:	/Stephen D'Agosta/ Primary Examiner, Art Unit 2643	

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1	("20020077131" | "20060056309" | "20060167849" | "20090305729" | "20100131858" | "6678524" | "7085812" | "7171190" | "7298714" | "7600031" | "7751536").PN. and java	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2013/04/11 12:24
S1	29	("20020077131" | "20060056309" | "20060167849" | "20090305729" | "20100131858" | "6678524" | "7085812" | "7171190" | "7298714" | "7600031" | "7751536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2013/04/11 10:16
S2	11	"8401576".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2013/04/11 10:24

EAST Search History (Interference)

<This search history is empty>

4/11/2013 12:40:34 PM
C:\Users\sdagosta\Documents\EAST\Workspaces\13_762347.wsp

INFORMATION DISCLOSURE STATEMENT	Applicant(s):	Graham Merrett
	Application No.	
	Filed:	Herewith
	For:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
	Group Art Unit:	Not Yet Assigned
	Examiner:	Not Yet Assigned
	Attorney Docket No.:	383651-991101

Commissioner of Patents and Trademarks
(Via Electronic Filing)

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

(a)	☒	accompanies a new patent application submitted herewith.
(b)	☐	is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
(c)	☐	after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR
(d)	☐	is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee ($180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
(e)	☐	is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee ($130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

(f)	☐	Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
(g)	☐	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 this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

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

Regarding the concise statements required for any foreign-language references, a copy of an associated foreign Office Action indicating the relevance is provided in English; see MPEP 609.04(a)(III).

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. **07-1896**.

Respectfully submitted,

Date: February 7, 2013

DLA PIPER LLP (US)

By: /Timothy W. Lohse/
Timothy W. Lohse
Reg. No. 35,255
Attorneys for Applicant(s)
2000 University Avenue
East Palo Alto, CA 94303-2248
650-833-2055

☒ *Customer Number or Bar Code Label*

26379
(Insert Customer No. or Attach bar code label here)

Certificate of Transmission Under 37 CFR 1.8
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Commissioner for Patents
Alexandria, VA 22313-1450
on:
February 7, 2013

/Timothy W. Lohse/
Timothy W. Lohse

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

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number 383651-991101	Application Number
	Applicant Graham Merrett	
	Filing Date Herewith	Group Art Unit NYA

U.S. PATENT DOCUMENTS

	6,678,524	01/13/04	Hansson et al.			
	7,085,812	08/01/06	Sherwood			
	7,171,190	01/30/07	Ye et al.			
	7,298,714	11/20/07	Foster			
	7,600,031	10/06/09	Toutonghi			
	7,751,536	07/06/10	Abramson et al.			
	2002/0077131	06/20/02	Mizell et al.			
	2006/0056309	03/16/06	Maaniitty			
	2006/0167849	07/27/06	Marcus et al.			
	2009/0305729	12/10/09	Bennett			
	2010/0131858	05/27/10	Schultz et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	WO 2006/014603	02/09/06					

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

		Hui Lei, et al., "*Context-Aware Unified Communication,*" Mobile Data Management, 2004 Proceedings, 2004 IEEE International Conference, January 19-22, 2004, Berkeley, CA (11 pages).
		EP Application No. 08772669.1, Extended Search Report dated October 13, 2011 (10 pages).
		PCT/AU2008/001043, International Preliminary Report on Patentability dated January 26, 2010 (7 pages).

EXAMINER	DATE CONSIDERED
/Stephen D Agosta/ (04/11/2013)	04/11/2013

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

✓	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	04/11/2013	08/27/2014							
	1	✓	-							
	2	✓	-							
	3	✓	-							
	4	✓	-							
	5	O	-							
	6	O	-							
	7	✓	-							
	8	✓	-							
	9	✓	-							
	10	✓	-							
	11	✓	-							
	12	✓	-							
	13	✓	-							
	14	✓	-							
	15	✓	-							
	16	✓	-							
	17	O	-							
	18	✓	-							
	19	✓	-							
	20	✓	-							
	21	✓	-							
	22	✓	-							
	23	✓	-							
	24	✓	-							
	25	✓	-							
	26	✓	-							
	27	✓	-							
	28		✓							
	29		O							
	30		O							
	31		O							
	32		O							
	33		O							
	34		✓							
	35		✓							
	36		O							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
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☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	04/11/2013	08/27/2014							
	37		O							
	38		O							
	39		O							

INFORMATION DISCLOSURE STATEMENT		
	Applicant(s):	MERRETT, Graham
	Application No.	13/762,347
	Filed:	February 7, 2013
	For:	Messaging Service in a Wireless Communications Network
	Group Art Unit:	2643
	Examiner:	D AGOSTA, Stephen M
	Attorney Docket No.:	383651-991101

Commissioner of Patents and Trademarks
(Via Electronic Filing)

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

(a)	☐	accompanies a new patent application submitted herewith.
(b)	☒	is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
(c)	☐	after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR
(d)	☐	is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee ($90) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
(e)	☐	is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee ($200) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

(f)	☐	Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
(g)	☐	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 this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

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

Regarding the concise statements required for any foreign-language references, a copy of an associated foreign Office Action indicating the relevance is provided in English; see MPEP 609.04(a)(III).

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. **07-1896**.

Respectfully submitted,

Date: August 1, 2013

DLA PIPER LLP (US)

By: /Timothy W. Lohse/
Timothy W. Lohse
Reg. No. 35,255
Attorneys for Applicant(s)
2000 University Avenue
East Palo Alto, CA 94303-2248
650-833-2055

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on:
August 1, 2013

/Timothy W. Lohse/
Timothy W. Lohse

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

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number 383651-991101	Application Number 13/762,347
	Applicant MERRETT, Graham	
	Filing Date February 7, 2013	Group Art Unit 3643

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	8,060,566	01 Oct 2008	McLean			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
/Stephen D Agosta/ (08/27/2014)	08/27/2014

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

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www.uspto.gov

BIB DATA SHEET

CONFIRMATION NO. 8030

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/762,347	02/07/2013 RULE	455	2643	383651-991101

APPLICANTS
Graham Merrett, Queensland, AUSTRALIA;

**** CONTINUING DATA **************************
This application is a CON of 12/452,883 07/07/2010 PAT 8401576 *
which is a 371 of PCT/AU2008/001043 07/18/2008
(*)Data provided by applicant is not consistent with PTO records.

**** FOREIGN APPLICATIONS **************************
AUSTRALIA 2007903979 07/24/2007
AUSTRALIA 2007906230 11/13/2007

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
02/28/2013

Foreign Priority claimed	35 USC 119(a-d) conditions met	Verified and Acknowledged		STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
☑ Yes ☐ No	☑ Yes ☐ No	/STEVE M D AGOSTA/ Examiner's Signature	☐ Met after Allowance Initials	AUSTRALIA	7	27	2

ADDRESS
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248
UNITED STATES

TITLE
MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

FILING FEE RECEIVED		
750	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).

PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

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	8412846	B2	2013-04-02	Shao et al.	
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
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	20030040300	A1	2003-02-27	Bodic et al.	
If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1	06006753	WO	A1	2006-01-19	Cho et al.		☐
If you wish to add additional Foreign Patent Document citation information please click the Add button								Add

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347 13762347 - GAU: 2643
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

	1		☐

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EXAMINER SIGNATURE

Examiner Signature	/Stephen D Agosta/ (08/27/2014)	Date Considered	08/27/2014

*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.

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347 13762347 - GAU: 2643
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

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.

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

☒ A certification statement is not submitted herewith.

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	/Robert D. Leonard/	Date (YYYY-MM-DD)	2014-06-19
Name/Print	Robert D. Leonard	Registration Number	57,204

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.**

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

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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.

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 record s.

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.

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13762347	MERRETT, GRAHAM
	Examiner	Art Unit
	STEVE D AGOSTA	2643

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
455	412.1, 412.2, 414.1, 418, 466	4-11-2013	SMD
370	310.2, 312, 352, 353, 355, 356	4-11-2013	SMD

SEARCH NOTES		
Search Notes	Date	Examiner
inventor search (CON - did dbl pat)	4-11-2013	SMD
Reviewed parent app/rejection and IDS art	4-11-2013	SMD
EAST DB's and Text	4-11-2013	SMD
No USC 101 or 112 issues	4-11-2013	SMD
APPLIED FOR FAI PROGRAM -- re-wrote NFOA into an FAI pre-interview communique	8-27-14	SMD
-- Dbl Pat rejection, spec changes (identified/discuss), claims 28, 34-35 rej while 29-33, 36-39 obj'ed	8-27-14	SMD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen D'Agosta
	Attorney Docket Number	RMT-PT001.1

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	6707472	B1	2004-03-16	Grauman et al.	
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
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					
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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
If you wish to add additional Foreign Patent Document citation information please click the Add button							Add	

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen D'Agosta
	Attorney Docket Number	RMT-PT001.1

	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen D'Agosta
	Attorney Docket Number	RMT-PT001.1

CERTIFICATION STATEMENT

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☐ See attached certification statement.

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

☒ A certification statement is not submitted herewith.

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	/Robert D. Leonard/	Date (YYYY-MM-DD)	2014-09-03
Name/Print	Robert D. Leonard	Registration Number	57,204

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.**

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 the Freedom of Information Act requires disclosure of these record s.

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)).

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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.

Electronic Acknowledgement Receipt	
EFS ID:	20025971
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard/Carey Kulp
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	03-SEP-2014
Filing Date:	07-FEB-2013
Time Stamp:	17:36:44
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	Transmittal Letter	IDS.pdf	59986 d073f90b59c28504aa90b3ebe21f4507266caa19	no	2
Warnings:					
Information:					

2	Information Disclosure Statement (IDS) Form (SB08)	SB08.pdf	633259 934a835917e0775e49a602cb0b17e6d92a8943c7	no	4
Warnings:					
Information:					
			Total Files Size (in bytes):	693245	

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:	
Graham Merrett	
Application No.: 13/762,347	
Confirmation No.: 8030	
Filed: February 7, 2013	
For: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	
Group: 2643	
Examiner: Stephen M. D'Agosta	

Our File: RMT-PT001.1
Date: September 3, 2014

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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

Madam:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed SB-08 Form. Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

This Application is a continuation of U.S. Patent Application No. 12/452,883, filed July 7, 2010, which issued March 19, 2013 as U.S. Patent No. 8,401,576, which is a National Stage Entry of PCT Application No. PCT/AU2008/001043, which was filed July 18, 2008.

Applicant would like to bring the following Applications to the Examiner's attention: U.S. Patent Application No. 13/850,272, which was filed March 25, 2013; U.S. Patent Application No. 14/307,166, which was filed June 17, 2014; U.S. Patent Application No. 14/307,184, which was filed June 17, 2014; and U.S. Patent Application No. 14/307,210, which was filed June 17, 2014.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the SB-08 Form indicating consideration of the cited materials.

Respectfully submitted,

Graham Merrett

By /Robert D. Leonard/
Robert D. Leonard
Registration No. 57,204
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1800
30 South 17th Street
Philadelphia, PA 19103

RDL/PCK
Enclosures (2)

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1

CONFIRMATION NO. 8030

3624
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

POA ACCEPTANCE LETTER

OC000000069105060

Date Mailed: 06/20/2014

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/16/2014.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	RMT-PT001.1

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

POWER OF ATTORNEY NOTICE

OC000000069105030

Date Mailed: 06/20/2014

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/16/2014.

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

/snguyen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/762,347	02/07/2013	2643	750	RMT-PT001.1	27	2

CONFIRMATION NO. 8030

REPLACEMENT FILING RECEIPT

3624
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

OC000000069105084

Date Mailed: 06/20/2014

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**

Inventor(s)

Graham Merrett, Queensland, AUSTRALIA;

Applicant(s)

Rembrandt Messaging Technologies, LP, Bala Cynwyd, PA

Assignment For Published Patent Application

Rembrandt Messaging Technologies, LP, Bala Cynwyd, PA

Power of Attorney: The patent practitioners associated with Customer Number 03624

Domestic Priority data as claimed by applicant

This application is a CON of 12/452,883 07/07/2010 PAT 8401576 *
which is a 371 of PCT/AU2008/001043 07/18/2008
(*)Data provided by applicant is not consistent with PTO records.

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.)
AUSTRALIA 2007903979 07/24/2007 No Access Code Provided
AUSTRALIA 2007906230 11/13/2007 No Access Code Provided

Request to Retrieve - This application either claims priority to one or more applications filed in an intellectual property Office that participates in the Priority Document Exchange (PDX) program or contains a proper **Request to Retrieve Electronic Priority Application(s)** (PTO/SB/38 or its equivalent). Consequently, the USPTO will attempt to electronically retrieve these priority documents.

If Required, Foreign Filing License Granted: 02/28/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/762,347**

Projected Publication Date: Not Applicable

Non-Publication Request: No

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

MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Preliminary Class

455

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

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 (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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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 U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

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	8412846	B2	2013-04-02	Shao et al.	
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
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	20030040300	A1	2003-02-27	Bodic et al.	
If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1	06006753	WO	A1	2006-01-19	Cho et al.		☐
If you wish to add additional Foreign Patent Document citation information please click the Add button								Add

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13762347
	Filing Date	2013-02-07
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	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button **Add**

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13762347
	Filing Date	2013-02-07
	First Named Inventor	Graham Merrett
	Art Unit	2643
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	RMT-PT001.1

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.

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

☒ A certification statement is not submitted herewith.

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	/Robert D. Leonard/	Date (YYYY-MM-DD)	2014-06-19
Name/Print	Robert D. Leonard	Registration Number	57,204

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 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 record s.

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)).

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Electronic Acknowledgement Receipt

EFS ID:	19354408
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	3624
Filer:	Robert D. Leonard
Filer Authorized By:	
Attorney Docket Number:	RMT-PT001.1
Receipt Date:	19-JUN-2014
Filing Date:	07-FEB-2013
Time Stamp:	18:23:13
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	Foreign Reference	wo06006753.pdf	820060 f9a7acc869dcb16cfd3eb9c13d61f6c8df10397d	no	21

Warnings:	
Information:	

2	Transmittal Letter	IDS.pdf	59396 8d054c42a697ba7a3c7a24b6bce91f4623c99b13	no	2
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	SB08.pdf	631764 7b1a159560e5509b50bb5fb009638d08b53ccd84	no	4
Warnings:					
Information:					
		Total Files Size (in bytes):	1511220		

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(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau

(43) International Publication Date
19 January 2006 (19.01.2006)

PCT

(10) International Publication Number
WO 2006/006753 A1

(51) International Patent Classification[7]: G06F 17/60

(21) International Application Number:
PCT/KR2004/002627

(22) International Filing Date: 14 October 2004 (14.10.2004)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
10-2004-0052920 8 July 2004 (08.07.2004) KR

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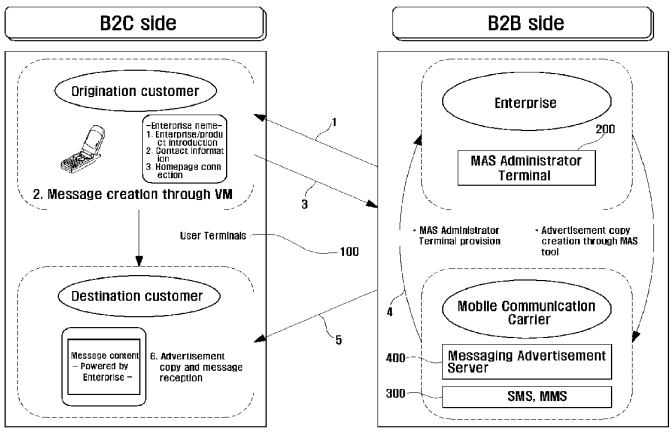
(81) Designated States *(unless otherwise indicated, for every kind of national protection available)*: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States *(unless otherwise indicated, for every kind of regional protection available)*: ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:
— *with international search report*

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: MOBILE ADVERTISEMENT SERVICE SYSTEM AND METHOD



(57) Abstract: In a mobile advertisement service system for use in electronic commerce between a customer, an enterprise, and a mobile communication carrier, an origination terminal of the customer downloads a VM (Virtual Machine) client application, runs the VM client application to create a message, and transmits the created message to a destination terminal. An MAS (Messaging Advertisement Server) administrator terminal (200) provides a tool for creating enterprise information and advertisement copy to be inserted into the created message. An SMS/MMS (Short Messaging Service/Multimedia Messaging Service) server (300) recognizes and classifies an identity number associated with the enterprise information and the advertisement copy and transmits the enterprise information and the advertisement copy along with the message of the origination terminal. An MAS (400) interworking with the SMS/MMS server (300) inserts the enterprise information and the advertisement copy into the message to be transmitted to the destination terminal.

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Description

MOBILE ADVERTISEMENT SERVICE SYSTEM AND METHOD

Technical Field

[1] The present invention relates to a mobile advertisement service system and method, and more particularly to a B2B2C (Business-to-Business-to-Consumer) business model for allowing a mobile communication carrier to provide an enterprise with a channel and tool capable of advertising the enterprise's brand and product to enterprise customers through mobile communication terminals.

Background Art

[2] The current business environment is such that competition for existence between enterprises is fierce due to the abruptly varying market conditions. According to the abruptly varying market and technical conditions, each enterprise must actively conduct advertising and marketing in a creative commercial manner appropriate for characteristics of their product and business technology so that the efficiency of interaction between the enterprise and customers, and the enterprise's profit can be increased.

[3] In particular, past business based on a biz domain name was focused on voice-related services and portal-related services based on a B2C (Business-to-Consumer) business model and solution business for improving work efficiency and productivity of an enterprise based on a B2B (Business-to-Business) business model. However, present business needs to be extended to network/platform services in a B2B2C (Business-to-Business-to-Consumer) market with the expansion of a marketing concept.

[4] As enterprise advertising methods, the existing B2C business model targeted to customers and the existing B2B business model targeted to enterprises need to be expanded to a B2B2C business model as a new type of business model.

[5] The related prior art is disclosed in an application entitled's "Advertisement SMS System and Method" assigned Korean Patent Application No. 10-2003-0027497.

[6] In Korean Patent Application No. 10-2003-0027497, the related prior art has a merit in that an advertiser's advertisement is combined with an SMS (Short Messaging Service) and thus an advertisement SMS can be provided. In this case, an origination terminal combines the advertisement with an SMS message created thereby before sending the SMS message, and transmits a result of the combination to a destination

terminal through a mobile communication network, according to the conventional enterprise advertising method.

Disclosure of Invention

Technical Problem

[7] However, a need exists for a new advertising method serving as a general advertising method capable of maximizing the effect of advertisement of an enterprise by combining various forms for satisfying customer demand.

[8] It is a first object of the present invention to provide a method for creating an SMS/MMS (Short Messaging Service/Multimedia Messaging Service) message through a run VM (Virtual Machine) client for use in a mobile advertisement service on a customer's terminal.

[9] It is a second object of the present invention to provide a mobile advertisement service system that can efficiently implement and manage a mobile advertisement service.

[10] It is a third object of the present invention to provide a B2B2C (Business-to-Business-to-Consumer) business model for allowing a mobile communication carrier to provide an enterprise with a channel and tool capable of advertising an enterprise's brand and product to enterprise customers through a mobile communication network.

Technical Solution

[11] In accordance with an aspect of the present invention, the above and other objects can be accomplished by the provision of a mobile advertisement service system for use in electronic commerce between a customer, an enterprise, and a mobile communication carrier, comprising:

[12] an origination terminal of the customer for downloading a VM (Virtual Machine) client application, running the VM client application to create a message, and transmitting the created message to a destination terminal;

[13] an MAS (Messaging Advertisement Server) administrator terminal for providing a tool for creating enterprise information and advertisement copy to be inserted into the created message;

[14] an SMS/MMS (Short Messaging Service/Multimedia Messaging Service) server for recognizing and classifying an identity number associated with the enterprise information and the advertisement copy and transmitting the enterprise information and the advertisement copy along with the message of the origination terminal; and

[15] an MAS interworking with the SMS/MMS server for inserting the enterprise information and the advertisement copy into the message to be transmitted to the destination terminal.

Advantageous Effects

[16] In accordance with the present invention, customers can use a messaging service such as SMS/MMS (Short Messaging Service/Multimedia Messaging Service) at a reduced fee in compensation for advertisement reception, and an enterprise can use a mobile advertisement channel capable of providing an advertisement to the enterprise's customers in compensation for the enterprise's payment of the service fee charged to the customers.

Brief Description of the Drawings

[17] FIG. 1 is a conceptual diagram illustrating a mobile advertisement service in accordance with the present invention;

[18] FIG. 2 is a block diagram illustrating a system for the mobile advertisement service shown in FIG. 1;

[19] FIG. 3 is a flowchart illustrating a method for creating a message through a run VM (Virtual Machine) client for use in the mobile advertisement service in accordance with an embodiment of the present invention;

[20] FIG. 4 shows screens implemented for the mobile advertisement service in accordance with the embodiment of the present invention; and

[21] FIGS. 5 to 7 show examples implemented by the mobile advertisement service system in accordance with the present invention.

Best Mode for Carrying Out the Invention

[22] Now, preferred embodiments of the present invention will be described in detail with reference to the annexed drawings.

[23] FIG. 1 is a conceptual diagram illustrating a mobile advertisement service in accordance with the present invention; and FIG. 2 is a block diagram illustrating a system for the mobile advertisement service shown in FIG. 1.

[24] Referring to a B2B2C (Business-to-Business-to-Consumer) business model shown in FIG. 1, a B2C (Business-to-Consumer) side comprises user terminals 100 including an origination terminal for creating a message through a VM (Virtual Machine) and a destination terminal for receiving advertisement copy and the message.

[25] A B2B (Business-to-Business) side comprises an enterprise equipped with an MAS (Messaging Advertisement Server) administrator terminal 200 for creating the ad-

vertisement copy and managing customer information; and a mobile communication carrier equipped with an MAS 400 interworking with an SMS/MMS (Short Messaging Service/Multimedia Messaging Service) server 300 for inserting the advertisement copy into the message and managing the VM.

[26] Now, a process of the mobile advertisement service configured as shown in FIG. 1 will be roughly described.

[27] First, the origination terminal of a customer downloads a VM client from the MAS 400 (Step 1). In this state, the origination terminal creates an SMS or MMS message through a run VM client (Step 2).

[28] Subsequently, the message created by the origination terminal is transmitted to the MAS administrator terminal 200 (Step 3). The MAS administrator terminal 200 inserts enterprise information and advertisement copy created using an MAS tool into the message of the origination terminal (Step 4).

[29] Subsequently, the message into which the enterprise information and advertisement copy have been inserted is transmitted to a destination terminal (Step 5). The destination terminal receives the origination terminal's message into which the enterprise information and advertisement copy have been inserted (Step 6).

[30] Operation of the components provided in the mobile advertisement service system in accordance with the present invention will be described with reference to FIG. 2.

[31] The user terminals 100 can include a PDA (Personal Digital Assistant) as an origination/destination mobile communication terminal based on synchronous cdma-2000 or asynchronous W-CDMA (Wideband Code Division Multiple Access). In particular, the user terminal 100 downloads and runs the VM client application from the MAS 400 to transmit the message through the SMS/MMS server 300. The user terminal 100 can replace a destination phone number with an enterprise number to transmit the message. Furthermore, the user terminal 100 provides basic information associated with an enterprise and a product, etc.

[32] In accordance with the present invention, a message transmission service can be used at no fee or a reduced fee as the enterprise information and advertisement copy are inserted into the message created by the origination terminal serving as the user terminal 100.

[33] The MAS administrator terminal 200 provides a tool for creating the advertisement information and copy to be inserted into the message and a tool for analyzing/ processing statistical information received from the MAS 400, and provides an interface between the MAS administrator terminal and the system.

[34] That is, the MAS administrator terminal 200 includes an MAS interworking unit 210 for interworking with the MAS 400; a legacy system interworking unit 220 for interworking with a legacy system; a tool 230 for creating the advertisement information and copy to be inserted into the message; a tool 240 for analyzing/processing statistical information received from the MAS 400; and an administrator terminal/system interface 250 serving as an interface between the MAS administrator terminal and the system.

[35] The SMS/MMS server 300 interworking with the MAS 400 recognizes and classifies the enterprise number and shares the classified enterprise number with the MAS 400.

[36] That is, the SMS/MMS server 300 includes an MAS recognition unit 310 for recognizing and classifying the enterprise number; and an MAS interworking unit 320 for interworking with the MAS 400 to share the classified enterprise number with the MAS 400.

[37] The MAS 400 coupled to a mobile communication network interworks with the VM and a home page, shares a processed message with the SMS/MMS server 300, and carries out a replacement function between an original destination number and an enterprise number within the transmitted message. Moreover, the MAS 400 manages profile information such as customer information, the number of service uses, etc., manages a client application and a rule associated with a client-application use time and/or the number of client-application uses, and manages the advertisement information/copy created by the MAS administrator terminal 200.

[38] That is, the MAS 400 includes a WAP (Wireless Application Protocol) interworking unit 410 coupled to the mobile communication network for interworking with the VM client and a home page; an SMS/MMS interworking unit 420 for interworking with the SMS/MMS server 300 to share a message processed by the MAS administrator terminal 200 with the SMS/MMS server 300; an MAS administrator terminal interworking unit 470 coupled to the MAS administrator terminal 200 for transferring various types of information; and a message replacement unit 430 for carrying out a replacement function between the original destination number and the enterprise number within the message transmitted from the origination terminal.

[39] In this case, the message replacement unit 430 interworks with a customer profile management unit 440 for managing the profile information such as the customer information, the number of service uses, etc.; a VM client rule management unit 450 for managing the VM client application and a rule associated with a client-application use

time and/or the number of client-application uses; and an advertisement information/ copy management unit 460 for managing the advertisement information/copy created by the MAS administrator terminal 200. The management units respectively perform management enterprise by enterprise.

[40] FIG. 3 is a flowchart illustrating a method for creating a message through a run VM client for use in the mobile advertisement service in accordance with an embodiment of the present invention; and FIG. 4 shows screens implemented for the mobile advertisement service in accordance with the embodiment of the present invention.

[41] In accordance with a technical feature of the present invention, when an origination terminal of a customer first runs a downloaded VM client to use the mobile advertisement service, creates a desired message and transmits the created message, the SMS/MMS server 300 transmits a received SMS/MMS message to the MAS 400, inserts advertisement copy into the SMS/MMS message, and transmits, to a customer of an original destination terminal, the SMS/MMS message into which the advertisement copy has been inserted.

[42] In more detail, the origination terminal runs the VM client downloaded from the MAS 400 to use the mobile advertisement service as shown in FIG. 4(a) (S110). At this point, an initial screen is provided on the origination terminal as shown in FIG. 4(b) (S120).

[43] In a state in which the initial screen (displaying enterprise information such as Enterprise/Product Introduction, Contact Information, Home Page Connection, and SMS/MMS Message Creation Tool) of the origination terminal has been provided, an SMS/MMS message creation tool is selected (S130). At this point, a message input window is provided on the origination terminal as shown in FIG. 4(c) (S140).

[44] Subsequently, a message to be sent to the destination terminal is created through the message input window provided by the selected message creation tool, and the created message is transmitted as shown in FIG. 4(d). That is, the message to be sent is created in a text editor of the VM, such that the created message is transmitted to the SMS/ MMS server 300 (S150).

[45] At this point, a destination terminal number is replaced with an enterprise number, and a changed message is transmitted to the SMS/MMS server 300. When the message is transmitted, destination number information of a destination number field is shifted to an end of a message field, a preset special number indicative of the enterprise is inputted into the destination number field, and the changed message is transmitted (S160).

[46] Subsequently, after the destination number of the changed message is replaced with an original destination number by the MAS administrator terminal 200, the previously created advertisement message is inserted and a result of the insertion is transmitted to the SMS/MMS server 300.

[47] That is, a routing operation is carried out according to a routing table in which the enterprise's special number has been registered (S170). The destination terminal number within the message field is shifted to the destination number field, the previously created advertisement message is inserted into an empty space, and a result of the insertion is transmitted (S180).

[48] When the SMS/MMS server 300 transmits the message of the origination terminal and the inserted advertisement message of the enterprise to the original destination terminal, the destination terminal receives the transmitted message including advertise copy such as an enterprise name or product information as shown in FIG. 4(e) (S190).

[49] The mobile advertisement service system and method based on the B2B2C business model in accordance with the present invention have been described above. Now, these will be additionally described with reference to FIGS. 5 to 7.

[50] The customer moves to an enterprise site through a callback URL (Uniform Resource Locator) of a transmitted SMS message based on membership information within the enterprise or URL information provided by the enterprise's agency or another promotion method, and can download the VM for service use after service subscription through agreement creation and personal information input (refer to FIG. 5).

[51] Moreover, when the customer runs the downloaded VM to use the service and creates and transmits a desired message as shown in FIG. 4, the SMS/MMS server 300 transmits a received SMS/MMS message to the MAS 400. Advertisement copy is added to the message and is transmitted to the customer of the original destination terminal (refer to FIG. 6).

[52] Thus, the mobile communication carrier provides the enterprise with a mobile advertisement solution (MAS), SMS/MMS, etc. The enterprise pays a fee to use the solution and messaging to the mobile communication carrier. The enterprise can conduct mobile advertisement by inserting advertisement information/copy into a message in compensation for providing the customer with a messaging service at no fee or a reduced fee (refer to FIG. 7).

Industrial Applicability

[53] In accordance with a mobile advertisement service system and method of the

present invention, customers can use a messaging service such as SMS/MMS (Short Messaging Service/Multimedia Messaging Service) at no fee or a reduced fee in compensation for advertisement reception and an enterprise can use a mobile advertisement channel capable of providing an advertisement to the enterprise's customers in compensation for the enterprise's payment of the service fee charged to the customers, such that the effect of a mobile advertisement for improving awareness of a product/enterprise can be maximized.

[54] In accordance with the present invention, the mobile advertisement service system and method can obtain additional effects of push mobile marketing based on personal information and an agreement and statistical information acquisition.

Claims

[1] A mobile advertisement service system for use in electronic commerce between a customer, an enterprise, and a mobile communication carrier, comprising:
an origination terminal of the customer for downloading a VM (Virtual Machine) client application, running the VM client application to create a message, and transmitting the created message to a destination terminal;
an MAS (Messaging Advertisement Server) administrator terminal for providing a tool for creating enterprise information and advertisement copy to be inserted into the created message;
an SMS/MMS (Short Messaging Service/Multimedia Messaging Service) server for recognizing and classifying an identity number associated with the enterprise information and the advertisement copy and transmitting the enterprise information and the advertisement copy along with the message of the origination terminal; and
an MAS interworking with the SMS/MMS server for inserting the enterprise information and the advertisement copy into the message to be transmitted to the destination terminal.

[2] The mobile advertisement service system of claim 1, wherein the enterprise information and the advertisement copy are inserted into the message created by the origination terminal, such that a message transmission service at no fee or a reduced fee can be provided.

[3] The mobile advertisement service system of claim 2, wherein the message transmission service at no fee or a reduced fee is limited to a message created in a state in which the VM client application has been run.

[4] The mobile advertisement service system of claim 1, wherein the VM client application includes a logo and banner representing the enterprise, brief information, etc.

[5] The mobile advertisement service system of claim 1, wherein the origination terminal can download the VM client application necessary for service use in a state in which personal information and an agreement associated with push marketing have been created.

[6] The mobile advertisement service system of claim 1, wherein the message created by the origination terminal includes a short message or a multimedia message.

[7] The mobile advertisement service system of claim 1, wherein the SMS/MMS server comprises:
an MAS recognition unit for recognizing and classifying an enterprise number; and
an MAS interworking unit for interworking with the MAS to share the classified enterprise number with the MAS.

[8] The mobile advertisement service system of claim 1, wherein the MAS administrator terminal comprises:
an MAS interworking unit for interworking with the MAS;
a tool for creating the advertisement information and copy to be inserted into the message;
a tool for analyzing/processing statistical information received from the MAS; and
an administrator terminal/system interface serving as an interface between the MAS administrator terminal and the system.

[9] The mobile advertisement service system of claim 1, wherein the MAS comprises:
a WAP (Wireless Application Protocol) interworking unit coupled to a mobile communication network for interworking with a VM client and a home page;
an SMS/MMS interworking unit for interworking with the SMS/MMS server to share a message processed by the MAS administrator with the SMS/MMS server;
an MAS administrator terminal interworking unit coupled to the MAS administrator terminal for transferring various types of information; and
a message replacement unit for carrying out a replacement function between an original destination number and an enterprise number within the message transmitted from the origination terminal.

[10] The mobile advertisement service system of claim 9, wherein the message replacement unit interworks with:
a customer profile management unit for managing profile information such as customer information, the number of service uses, etc.;
a VM client rule management unit for managing the VM client application and a rule associated with a client-application use time and/or the number of client-application uses; and
an advertisement information/copy management unit for managing the ad-

vertisement information/copy created by the MAS administrator terminal.

[11] The mobile advertisement service system of claim 10, wherein the customer profile management unit, the VM client rule management unit and the advertisement information/copy management unit respectively perform management enterprise by enterprise.

[12] A mobile advertisement service method for use in electronic commerce between a customer, an enterprise, and a mobile communication carrier, comprising the steps of:

(a) downloading, by an origination terminal of the customer, a VM (Virtual Machine) client from an MAS (Messaging Advertisement Server);

(b) displaying, by the origination terminal, an initial screen by running the downloaded VM client;

(c) selecting an SMS (Short Messaging Service) or MMS (Multimedia Messaging Service) message creation tool on the initial screen of the origination terminal;

(d) creating a message to be transmitted to a destination terminal through a message input window provided by the selected message creation tool and transmitting the created message;

(e) replacing a destination terminal number with an enterprise number and transmitting a changed message to an SMS/MMS server;

(f) after replacing a destination number of the changed message with an original destination number, by an MAS administrator terminal, inserting a previously created advertisement message and transmitting a result of the insertion to the SMS/MMS server; and

(g) transmitting, by the SMS/MMS server, the message of the origination terminal and the inserted advertisement message of the enterprise to the destination terminal.

[13] The mobile advertisement service method of claim 12, wherein the VM client comprises:

an SMS/MMS emulator function for providing an SMS/MMS at no fee or a reduced fee to the customer and carrying out a replacement operation to the enterprise number;

a VM design function for supporting a function for managing the VM client; and

a validation management function for displaying the available number of service uses and an available service period and providing corresponding information

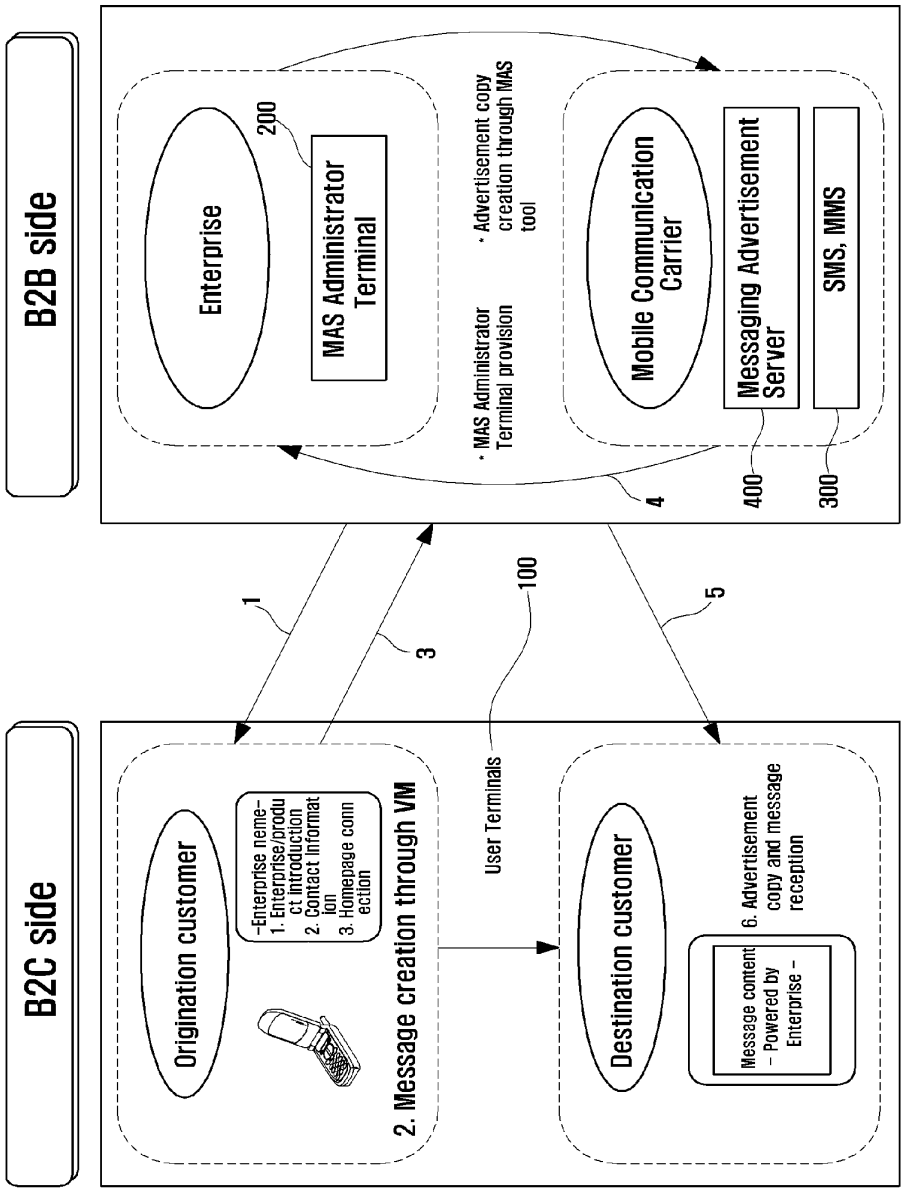
and update information when the available service period has expired.

[14] The mobile advertisement service method of claim 12, wherein the step (b) comprises the step of:
providing enterprise information such as enterprise/product introduction information, contact information, home page connection information, SMS/MMS message creation tool information, etc. through the initial screen.

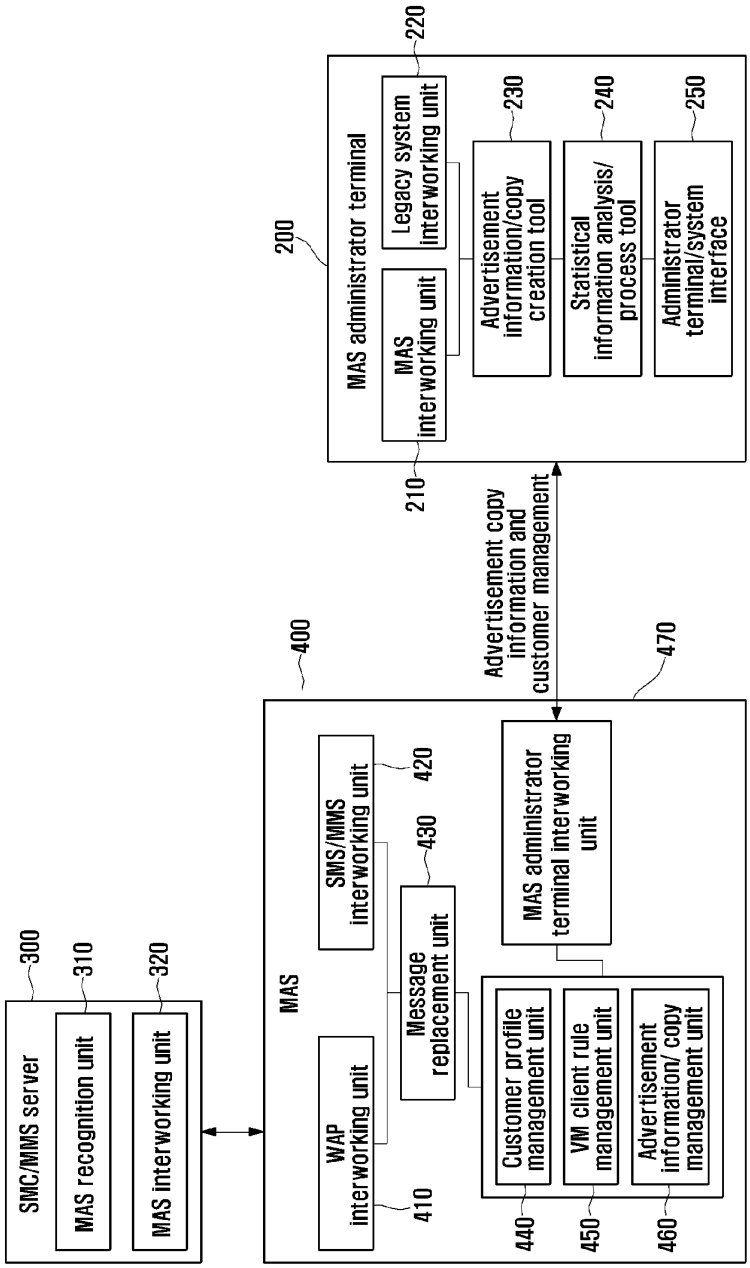
[15] The mobile advertisement service method of claim 12, wherein the step (d) comprises the step of:
shifting information of a destination number field to an end of a message field and transmitting the changed message after inputting a preset special number indicative of the enterprise into the destination number field.

[16] The mobile advertisement service method of claim 12, wherein the step (e) comprises the step of:
only when the destination number is a special number indicative of the enterprise, transmitting the message to the MAS administrator terminal.

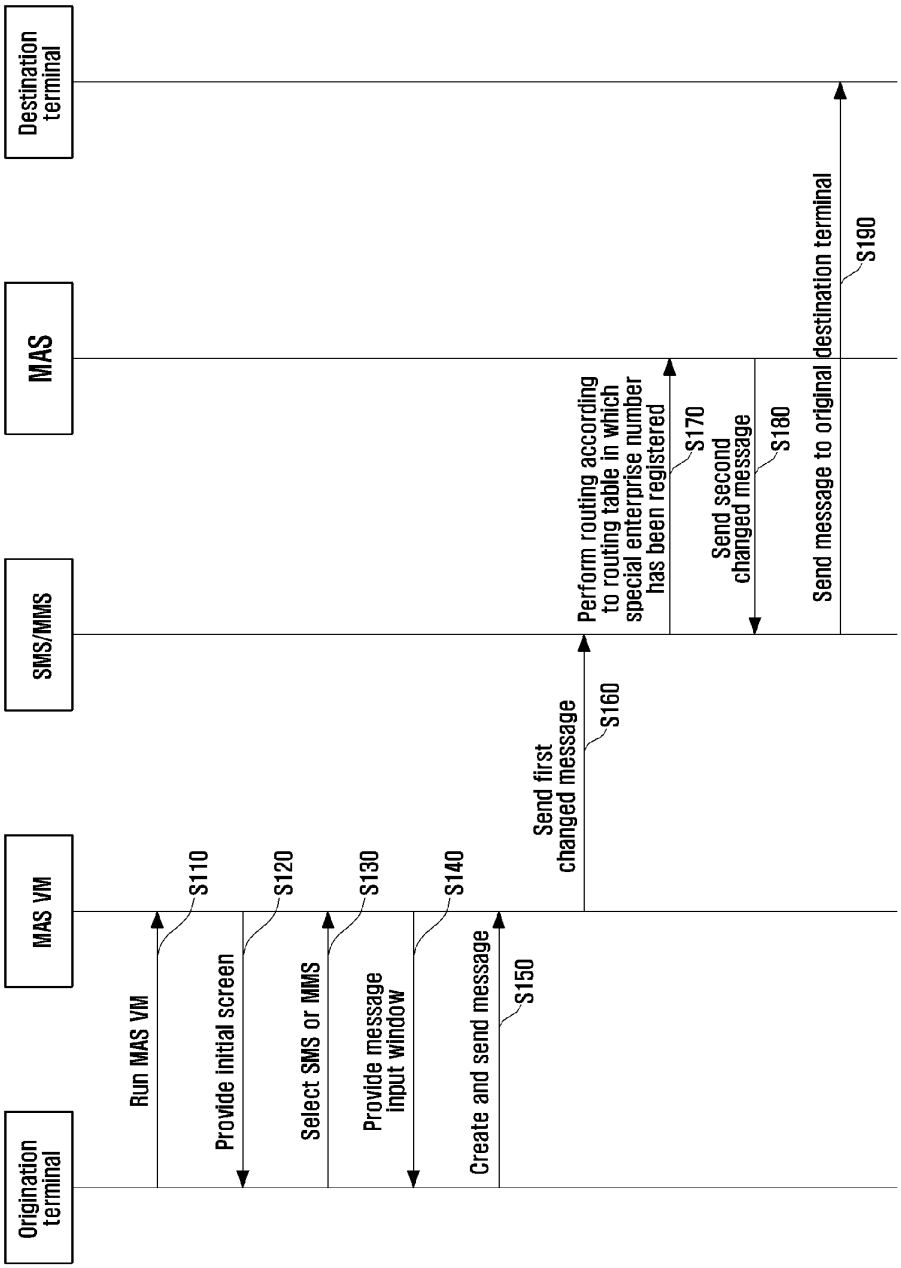
[Fig. 1]


B2B side
Enterprise
200
MAS Administrator Terminal
· MAS Administrator Terminal provision
· Advertisement copy creation through MAS tool
Mobile Communication Carrier
Messaging Advertisement Server
SMS, MMS
400
300
4
1
3
100
5
B2C side
Origination customer
-Enterprise neme-
1. Enterprise/product introduction
2. Contact information
3. Homepage connection
2. Message creation through VM
User Terminals
Destination customer
Message content
- Powered by Enterprise -
6. Advertisement copy and message reception

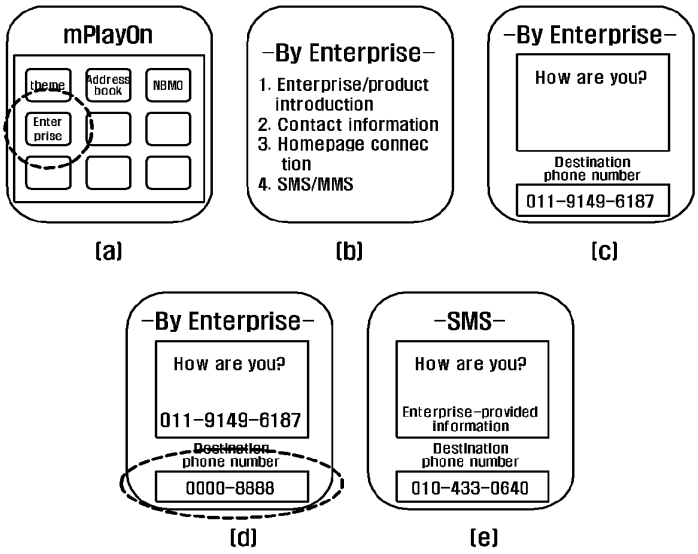
[Fig. 2]


200
MAS administrator terminal
220
Legacy system interworking unit
MAS interworking unit
230
Advertisement information/copy creation tool
240
Statistical information analysis/ process tool
250
Administrator terminal/system interface
210
Advertisement copy information and customer management
400
470
MAS
SMS/MMS interworking unit
420
430
Message replacement unit
MAS administrator terminal interworking unit
WAP interworking unit
410
Customer profile management unit
VM client rule management unit
Advertisement information/ copy management unit
440
450
460
300
SMC/MMS server
310
MAS recognition unit
320
MAS interworking unit

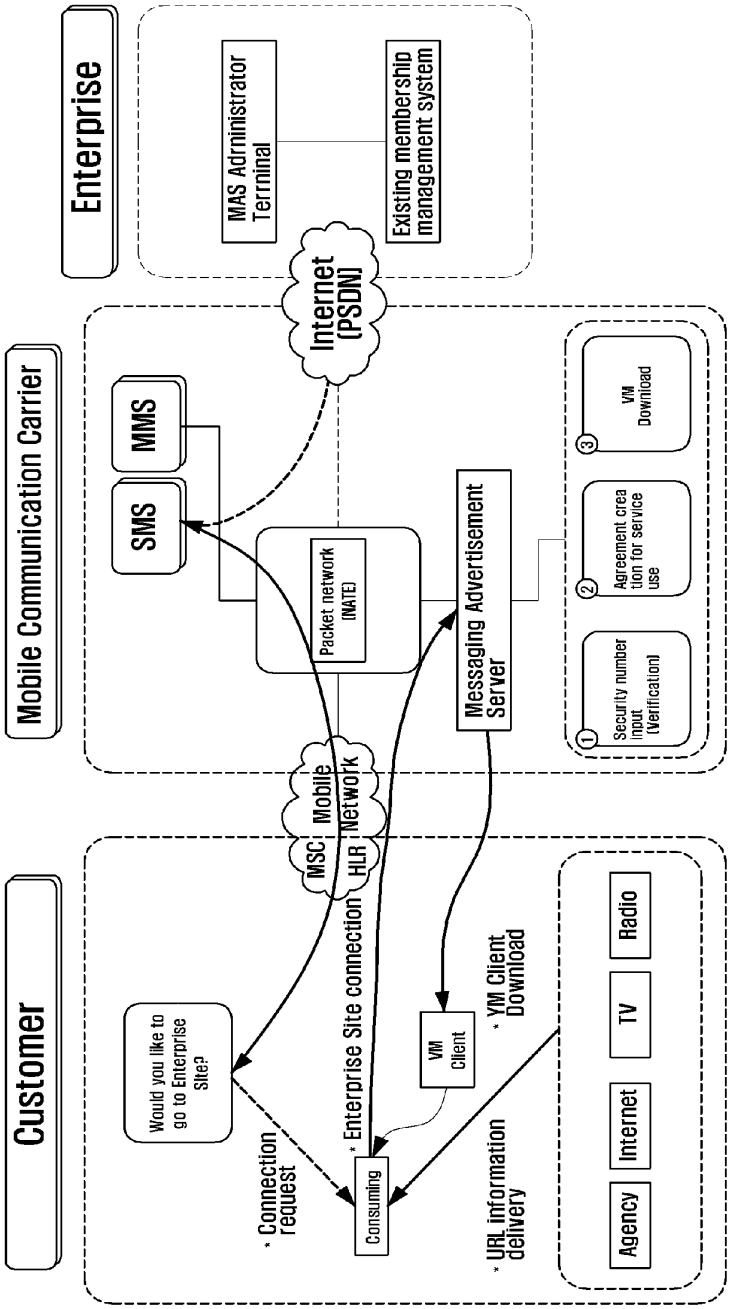
[Fig. 3]


Origination terminal
MAS VM
SMS/MMS
MAS
Destination terminal
Run MAS VM
S110
Provide initial screen
S120
Select SMS or MMS
S130
Provide message input window
S140
Create and send message
S150
Send first changed message
S160
Perform routing according to routing table in which special enterprise number has been registered
S170
Send second changed message
S180
Send message to original destination terminal
S190

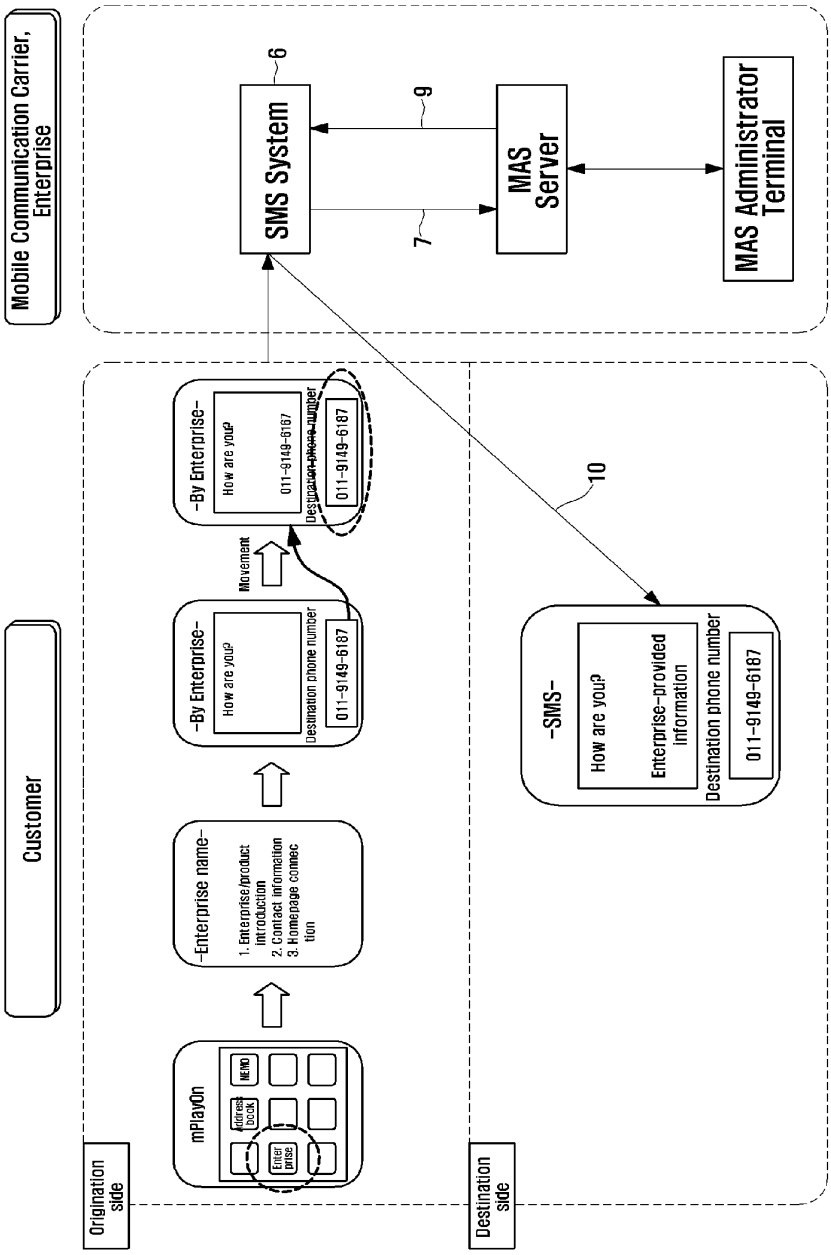
[Fig. 4]


mPlayOn
theme
Address book
NBMO
Enter prise
(a)
-By Enterprise-
1. Enterprise/product introduction
2. Contact information
3. Homepage connec tion
4. SMS/MMS
(b)
-By Enterprise-
How are you?
Destination phone number
011-9149-6187
(c)
-By Enterprise-
How are you?
011-9149-6187
Destination phone number
0000-8888
(d)
-SMS-
How are you?
Enterprise-provided information
Destination phone number
010-433-0640
(e)

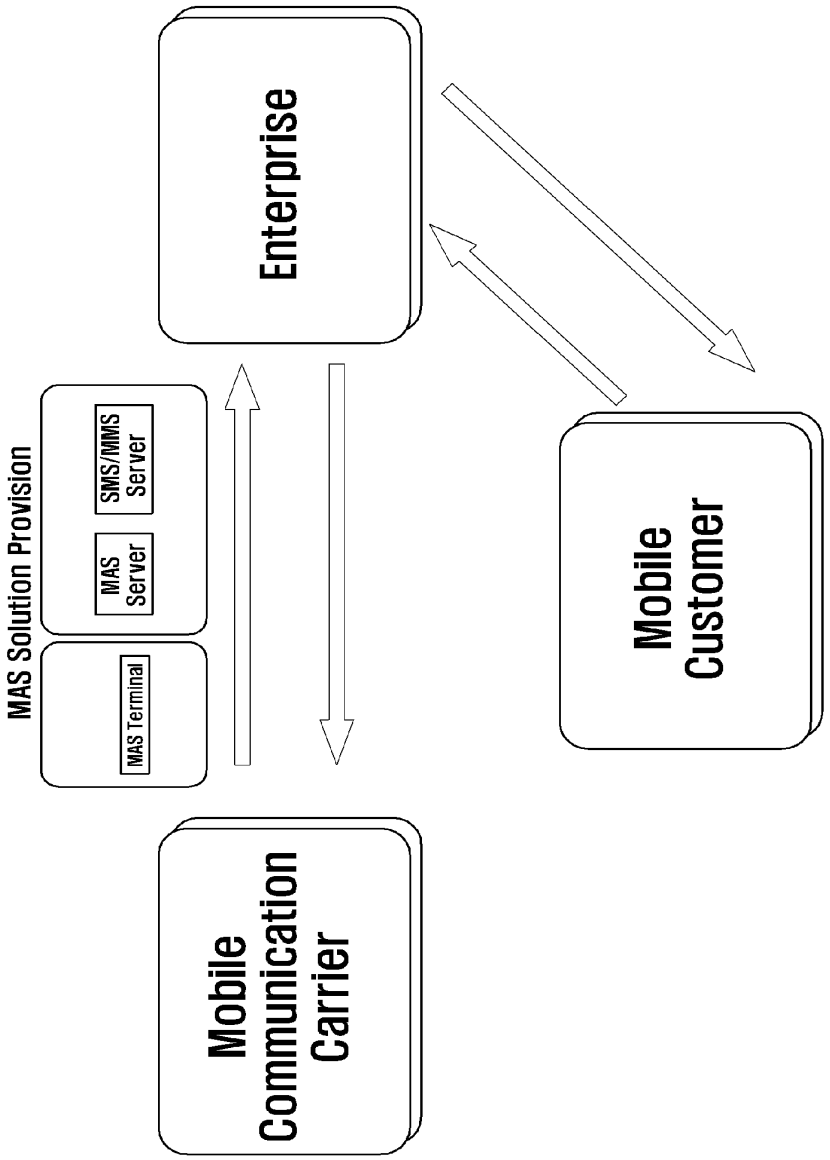
[Fig. 5]


Enterprise
MAS Adrninistrator Terrninal
Existing membership management system
Internet (PSDN)
Mobile Communication Carrier
MMS
SMS
Packet network (NATE)
Messaging Advertisement Server
VM Download
Agreement creation for service use
Security number input (Verification)
MSC
Mobile Network
HLR
Customer
Would you like to go to Enterprise Site?
* Connection request
* Enterprise Site connection
Consuming
VM Client
* YM Client Download
* URL information delivery
Agency
Internet
TV
Radio

[Fig. 6]


Mobile Communication Carrier, Enterprise
SMS System
6
9
7
MAS Server
MAS Administrator Terminal
Customer
Origination side
mPlayOn
MENU
Address book
Enterprise
-Enterprise name-
1. Enterprise/product introduction
2. Contact information
3. Homepage connection
-By Enterprise-
How are you?
Destination phone number
011-9149-6187
Movement
-By Enterprise-
How are you?
011-9149-6187
Destination phone number
10
Destination side
-SMS-
How are you?
Enterprise-provided information
Destination phone number
011-9149-6187

[Fig. 7]


Enterprise
Mobile Customer
Mobile Communication Carrier
MAS Solution Provision
SMS/MMS Server
MAS Server
MAS Terminal

INTERNATIONAL SEARCH REPORT

International application No.
PCT/KR2004/002627

A. CLASSIFICATION OF SUBJECT MATTER

IPC7 G06F 17/60

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC7 G06F 17/60

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Korean patents and applications for inventions since 1975

Electronic data base consulted during the intertnational search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	KR 2001-26914 A (LG INFOTEL. INC.) 6 APR. 2001 SEE THE WHOLE DOCUMENTS	1-16
A	KR 2000-53704 A (SEO SOO-GIL) 5 SEP. 2000 SEE THE WHOLE DOCUMENTS	1-16
X	KR 2000-53869 A (JUNG BYUNG-HEE) 5 SEP. 2000 SEE THE WHOLE DOCUMENTS	1-16
Y	KR 2002-80125 A (LG TELECOM INC.) 23 OCT. 2002 SEE THE WHOLE DOCUMENTS	1-16

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents,such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
09 MARCH 2005 (09.03.2005)	**11 MARCH 2005 (11.03.2005)**

Name and mailing address of the ISA/KR	Authorized officer
Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	JEONG, Jae Hoon Telephone No. 82-42-481-5787

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:	
Graham Merrett	
Application No.: 13/762,347	
Confirmation No.: 8030	
Filed: February 7, 2013	
For: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	
Group: 2643	
Examiner: Stephen M. D'Agosta	

Our File: RMT-PT001.1
Date: June 19, 2014

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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

Madam:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed SB-08 Form.

Copies of the newly cited documents are enclosed. Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

This Application is a continuation of U.S. Patent Application No. 12/452,883, filed July 7, 2010, which issued March 19, 2013 as U.S. Patent No. 8,401,576, which is

a National Stage Entry of PCT Application No. PCT/AU2008/001043, which was filed July 18, 2008.

Applicant would like to bring the following Applications to the Examiner's attention: U.S. Patent Application No. 13/850,272, which was filed March 25, 2013; U.S. Patent Application No. 14/307,166, which was filed June 17, 2014; U.S. Patent Application No. 14/307,184, which was filed June 17, 2014; and U.S. Patent Application No. 14/307,210, which was filed June 17, 2014.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the SB-08 Form indicating consideration of the cited materials.

Respectfully submitted,

Graham Merrett

By /Robert D. Leonard/
Robert D. Leonard
Registration No. 57,204
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1800
30 South 17th Street
Philadelphia, PA 19103

RDL/PCK
Enclosures (2)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of: Graham Merrett **Application No.:** 13/762,347 **Confirmation No.: 8030** **Filed:** February 7, 2013 For: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK Group: 2643	Our File: RMT-PT001.1 Date: June 17, 2014

PRELIMINARY AMENDMENT

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

Madam:

Prior to examination, Applicants respectfully request that the application be amended without prejudice or disclaimer as follows:

Amendments to the Specification

Please add the following new paragraphs at page 2, line 14 of the Specification as filed on February 7, 2013.

Summary

The disclosure of this application includes a method of providing a messaging service for use in a wireless device of a sender. The method includes receiving, by a message client running on the wireless device of the sender, information associated with a destination address of a wireless device of a recipient. The destination address may be a mobile phone number. The message client may be capable of determining a delivery mode for sending an outgoing message to the destination address. The wireless device of the sender may be capable of sending messages via a packet switched base station in a first mode, for example, via wireless local area network (WLAN) base station. Alternatively, the wireless device of the sender may be capable of sending messages via a short message service (SMS) base station that is independent of the packet switched base station, in a second mode. The wireless device of the sender may determine whether the wireless device of the recipient corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via the packet switched base station to a server. The wireless device of the sender may receive a response from the server via the packet switched base station. The request may be sent from the wireless device of the sender to the server without

passing through the SMS base station. Similarly, the response may be received from the server at the wireless device of the sender without passing through the SMS base station. The wireless device of the sender may send, if the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer, the outgoing message to the wireless device of the recipient using the destination address via the packet switched base station in the first mode. Alternatively, the wireless device of the sender may send, if the recipient does not correspond to a subscriber of the service for receiving the outgoing message via a packet switched bearer, the outgoing message to the wireless device of the recipient using the destination address via the SMS base station in the second mode.

Please amend the Abstract as filed on February 7, 2013 as shown below. A clean version of the amended Abstract is also being submitted with this Preliminary Amendment.

~~This invention concerns a messaging service in a wireless communications network. In a first aspect, the invention is a method for providing a messaging service on a wireless device in a wireless communications network; the method comprising the steps of: Retrieving the destination address of an outgoing message on the device. Verifying whether the destination address is capable of receiving the message via a packet switched bearer. If verification is affirmative, then automatically sending the message to the destination address via a packet switched bearer, but otherwise,~~

~~automatically sending the message to the destination address via an SMS bearer. In another aspect, the invention is a mobile device programmed to perform the method. In a further aspect, the invention is a software program to implement the method.~~

A method of providing a message service in a sender's wireless device is disclosed. The sender's wireless device may be capable of sending messages via a packet switched base station in a first mode, or via a short message service (SMS) base station that is independent of the packet switched base station, in a second mode. The sender's wireless device determines whether a recipient's wireless device corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer. The sender's wireless device sends, if the recipient's wireless device corresponds to a subscriber of the service, the outgoing message to the recipient's wireless device via the packet switched base station in the first mode. Alternatively, if the recipient's wireless device does not correspond to a subscriber of the service, the outgoing message is sent via the SMS base station in the second mode.

Amendments to the Claims

1. - 27. (Canceled)

28. (New) A method of providing a messaging service for use in a wireless device of a sender, the method comprising:

receiving, by a message client running on the wireless device of the sender, information associated with a destination address of a wireless device of a recipient, the message client capable of determining a delivery mode for sending an outgoing message to the destination address, wherein the wireless device of the sender is capable of sending messages, in a first mode, via a packet switched wireless local area network (WLAN) base station or, alternatively, in a second mode, via a short message service (SMS) base station that is independent of the packet switched WLAN base station;

determining, by the wireless device of the sender, whether the wireless device of the recipient corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer by sending a request via the packet switched WLAN base station to a server, and receiving a response from the server via the packet switched WLAN base station, wherein the request is sent from the wireless device of the sender to the server and the response is received at the wireless device of the sender from the server without passing through the SMS base station;

if the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer, sending in the first mode, by the wireless device of the sender, the outgoing message to the wireless device of the recipient using the destination address via the packet switched WLAN base station; and

if the recipient does not correspond to a subscriber of the service for receiving the outgoing message via a packet switched bearer, sending in the second mode, by the wireless device of the sender, the outgoing message to the wireless device of the recipient using the destination address via the SMS base station.

29. (New) The method of claim 28, wherein the SMS base station is associated with a cellular core network, and the request sent from the wireless device of the sender to the server via the packet switched WLAN base station and the response received at the wireless device of the sender from the server via the packet switched WLAN base station does not traverse the cellular core network associated with the SMS base station.

30. (New) The method of claim 28, further comprising:

constructing the outgoing message in a first syntax if the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer; and

constructing the outgoing message in a second syntax if the wireless device of the recipient does not correspond to a subscriber of the service for receiving the outgoing message via a packet switched bearer,

wherein the first syntax is different from the second syntax.

31. (New) The method of claim 28, further comprising:

displaying an indication of whether the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer to the sender.

32. (New) The method of claim 28, further comprising:

selecting, by the wireless device of the sender, at least one type of permissible attachment based on whether the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer.

33. (New) The method of claim 28, further comprising:

denying, by the wireless device of the sender, when the wireless device of the recipient does not correspond to a subscriber of the service for receiving the outgoing message via a packet switched bearer, any type of attachment.

34. (New) The method of claim 28, wherein the destination address is a mobile phone number.

35. (New) The method of claim 28, further comprising:

queuing the outgoing message for later delivery if the outgoing message cannot be delivered to the wireless device of the recipient.

36. (New) The method of claim 28, further comprising:

receiving, by the wireless device of the sender, a delivery confirmation message from the server, via the packet switched WLAN base station, if the outgoing message is successfully delivered to the wireless device of the recipient when the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer.

37. (New) The method of claim 28, further comprising:

displaying, by the wireless device of the sender, sent messages and received messages, wherein sent messages are displayed with a first characteristic and received message are displayed with a second different characteristic so as to distinguish the sent messages from the received messages.

38. (New) The method of claim 28, further comprising:

receiving, by the wireless device of the sender, presence information associated with the wireless device of the recipient if the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer; and

displaying, by the wireless device of the sender, the presence information associated with the wireless device of the recipient.

39. (New) The method of claim 28, wherein determining whether the wireless device of the recipient corresponds to a subscriber of the service for receiving the outgoing message via a packet switched bearer includes determining whether the wireless device of the recipient is capable of receiving the outgoing message via a packet switched bearer.

REMARKS

By this Preliminary Amendment, claims 28-39 are currently pending. Claims 1-27 are canceled. New claims 28-39 are added. A request for participation in the First Action Interview Program is submitted along with this Preliminary Amendment.

Consideration and entry of this amendment is respectfully requested.

Conclusion

In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Graham Merrett

By /Robert D. Leonard/
Robert D. Leonard
Registration No. 57,204

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

RDL/jmn/jrrs

Abstract

A method of providing a message service in a sender's wireless device is disclosed. The sender's wireless device may be capable of sending messages via a packet switched base station in a first mode, or via a short message service (SMS) base station that is independent of the packet switched base station, in a second mode. The sender's wireless device determines whether a recipient's wireless device corresponds to a subscriber of a service for receiving the outgoing message via a packet switched bearer. The sender's wireless device sends, if the recipient's wireless device corresponds to a subscriber of the service, the outgoing message to the recipient's wireless device via the packet switched base station in the first mode. Alternatively, if the recipient's wireless device does not correspond to a subscriber of the service, the outgoing message is sent via the SMS base station in the second mode.

Doc Code: FAI.REQ
Document Description: Request First Action Interview

PTO/SB/413C (05-11)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR FIRST ACTION INTERVIEW (FULL PILOT PROGRAM)

Attorney Docket Number: RMT-PT001.1	Application Number (if known): 13/762,347	Filing date: February 7, 2013
First Named Inventor: Graham Merrett	Title: MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

APPLICANT HEREBY REQUESTS A FIRST ACTION INTERVIEW IN THE ABOVE-IDENTIFIED APPLICATION. **See Instruction Sheet on page 2.**

1. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims.

2. The application must not contain any multiple dependent claims.

3. By filing this request:

   Applicant is agreeing to make an election without traverse if the Office determines that the claims are not obviously directed to a single invention; and

   Applicant is agreeing not to request for a refund of the search fee and any excess claims fee paid in the application after the mailing or notification of the pre-interview communication prepared by the examiner.

4. Other attachments: _____

Signature /Robert D. Leonard/	Date June 17, 2014
Name (Print/Typed) Robert D. Leonard	Registration Number 57,204

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

☐ *Total of _____ forms are submitted.

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 hours 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.

PTO/SB/413C (05-11)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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Instruction Sheet for Request for First Action Interview (Full Pilot Program)

(Not to be Submitted to the USPTO)

A grantable request must meet the following conditions:

1. The application must be a new non-reissue utility application filed under 35 U.S.C. 111(a) or an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).

2. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims.

3. The request must be filed electronically using the Office's electronic filing system, EFS-Web.

4. The claims must be directed to a single invention. If the Office determines that the claims are directed to multiple inventions (*e.g.*, in a restriction requirement), the applicant must make an election without traverse.

5. The request must be filed at least one day before a first Office action on the merits of the application appears in the Patent Application Information Retrieval (PAIR) system (*i.e.*, at least one day prior to the date when a first Office action on the merits, notice of allowability or allowance, or action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935) appears in the PAIR system). Applicant may check the status of the application using the PAIR system.

6. The request for a first action interview must include a statement that applicant agrees not to file a request for a refund of the search fee and any excess claims fees paid in the application after the mailing or notification of the Pre-Interview Communication. Any petition for express abandonment under 37 CFR 1.138(d), and request for a refund of the search fee and any excess claims fees, filed after the mailing or notification of the Pre-Interview Communication will not be granted.

For more information, see notice "Full First Action Interview Pilot Program" available on the USPTO web site at http://www.uspto.gov/patents/init_events/faipp_full.jsp

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.

Electronic Acknowledgement Receipt	
EFS ID:	19323565
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	26379
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	383651-991101
Receipt Date:	17-JUN-2014
Filing Date:	07-FEB-2013
Time Stamp:	13:52:15
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		RMT-PT001_1-PreliminaryAmendment-20140617.PDF	84182 47823db6b062cb1f2c72c4ca0a8c8231e391eaf7	yes	11

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Preliminary Amendment	1	1
	Specification	2	4
	Claims	5	9
	Applicant Arguments/Remarks Made in an Amendment	10	11

Warnings:					
Information:					
2	Abstract	RMT-PT001_1-Abstract-20140617.PDF	27766 c5d1d27e8c70ecb893550fedb9aa9b520cf16deb	no	1
Warnings:					
Information:					
3	First Action Interview - Enrollment Request	RMT-PT001_1-RequestForFirstActionInterview_sb0413c-20140617.PDF	621566 ee634c24c96204108d8ac8d76b980c91e48953ce	no	3
Warnings:					
Information:					
		Total Files Size (in bytes):	733514		

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.

Doc Code: FAI.REQ
Document Description: Request First Action Interview

PTO/SB/413C (05-11)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR FIRST ACTION INTERVIEW (FULL PILOT PROGRAM)

Attorney Docket Number: RMT-PT001.1	Application Number (if known): 13/762,347	Filing date: February 7, 2013
First Named Inventor: Graham Merrett	Title: MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

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   Applicant is agreeing not to request for a refund of the search fee and any excess claims fee paid in the application after the mailing or notification of the pre-interview communication prepared by the examiner.

4. Other attachments: _____

Signature /Robert D. Leonard/	Date June 17, 2014
Name (Print/Typed) Robert D. Leonard	Registration Number 57,204

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

☐ *Total of _____ forms are submitted.

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 hours 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.

PTO/SB/413C (05-11)
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Instruction Sheet for Request for First Action Interview (Full Pilot Program)

(Not to be Submitted to the USPTO)

A grantable request must meet the following conditions:

1. The application must be a new non-reissue utility application filed under 35 U.S.C. 111(a) or an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).

2. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims.

3. The request must be filed electronically using the Office's electronic filing system, EFS-Web.

4. The claims must be directed to a single invention. If the Office determines that the claims are directed to multiple inventions (*e.g.*, in a restriction requirement), the applicant must make an election without traverse.

5. The request must be filed at least one day before a first Office action on the merits of the application appears in the Patent Application Information Retrieval (PAIR) system (*i.e.*, at least one day prior to the date when a first Office action on the merits, notice of allowability or allowance, or action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935) appears in the PAIR system). Applicant may check the status of the application using the PAIR system.

6. The request for a first action interview must include a statement that applicant agrees not to file a request for a refund of the search fee and any excess claims fees paid in the application after the mailing or notification of the Pre-Interview Communication. Any petition for express abandonment under 37 CFR 1.138(d), and request for a refund of the search fee and any excess claims fees, filed after the mailing or notification of the Pre-Interview Communication will not be granted.

For more information, see notice "Full First Action Interview Pilot Program" available on the USPTO web site at http://www.uspto.gov/patents/init_events/faipp_full.jsp

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.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/762,347	Filing Date 02/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	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 $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).			
☐ 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	

APPLICATION AS AMENDED – PART II

AMENDMENT 06/17/2014

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 12	Minus	** 20	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***3	= 0	X $210 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

AMENDMENT

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

LDRC
/CHERRI FITZGERALD/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/762,347	Filing Date 02/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	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 $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).			
☐ 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	

APPLICATION AS AMENDED – PART II

AMENDMENT 06/17/2014

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 12	Minus	** 20	= 0	X $40 =	0
Independent (37 CFR 1.16(h))	* 1	Minus	***3	= 0	X $210 =	0
☐ Application Size Fee (37 CFR 1.16(s))						
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	0

AMENDMENT

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

LDRC
/CHERRI FITZGERALD/

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.

PTO/AIA/80 (07-12)
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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(c).

I hereby appoint:

■ Practitioners associated with Customer Number: 03624

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 assignments documents attached to this form in accordance with 37 CFR 3.73(c).

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

■ The address associated with Customer Number: 03624

OR

☐	Firm or Individual Name	Volpe and Koenig, P.C.	
	Address		
	City	State	Zip
	Country		
	Telephone	Email	

Assignee Name and Address: Rembrandt Messaging Technologies, LP
c/o Rembrandt IP Management, LLC
401 City Avenue, Suite 900
Bala Cynwyd, PA 19004

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, 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	Derek Wood	Date	5/22/2014
Name	Derek Wood	Telephone	610-822-0100
Title	Secretary of Rembrandt Virginia Technologies, LLC, general partner of assignee		

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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Privacy Act Statement

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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 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.

PTO/AIA/14 (12-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

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.)

Inventor Information:

Inventor 1 — Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Graham		Merrett	

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

City	Queensland	Country of Residence	AU

Mailing Address of Inventor:

Address 1	55 Lewis Street, Woolloongabba		
Address 2			
City	Queensland	State/Province	
Postal Code	4102	Country	AU

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	03624 ~~26379~~		
Email Address	eoffice@vklaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK		
Attorney Docket Number	RMT-PT001.1 ~~383651-991101~~	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter			
Total Number of Drawing Sheets (if any)	7	Suggested Figure for Publication (if any)	

PTO/AIA/14 (12-13)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

Filing By Reference :

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

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).
Either enter 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)
Customer Number	03624 ~~26379~~		

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.
When referring to the current application, please leave the application number blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	12/452883	2010-07-07
Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12/452883		PCT/AU2008/001043	2008-07-18

PTO/AIA/14 (12-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

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

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. 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(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[1] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Remove

Application Number	Country[1]	Filing Date (YYYY-MM-DD)	Access Code[1] (if applicable)
2007903979	AU	2007-07-24	

Remove

Application Number	Country[1]	Filing Date (YYYY-MM-DD)	Access Code[1] (if applicable)
2007906230	AU	2007-11-13	

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

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Authorization to Permit Access:

☒ Authorization to Permit Access to the Instant Application by the Participating Offices

Supplemental Application Data Sheet

PTO/AIA/14 (12-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date o f filing this Authorization.

Applicant Information:

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

Applicant 1

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

(●) Assignee	( ) Legal Representative under 35 U.S.C. 117	( ) Joint Inventor
( ) Person to whom the inventor is obligated to assign.	( ) Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	
If the Applicant is an Organization check here.	☒
Organization Name	Rembrandt Messaging Technologies, LP

Mailing Address Information For Applicant:

Address 1	401 City Avenue		
Address 2	Suite 900		
City	Bala Cynwyd	**State/Province**	PA
Country	US	Postal Code	19004
Phone Number		Fax Number	

EFS Web 2.2.11

PTO/AIA/14 (12-13)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

Email Address	

Additional Applicant Data may be generated within this form by selecting the Add button.

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not subsitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication . An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

If the Assignee or Non-Applicant Assignee is an Organization check here. ☒

Organization Name	Rembrandt Messaging Technologies, LP ~~Messmo Technologies Pty. Ltd.~~

Mailing Address Information For Assignee Including Non-Applicant Assignee:

Address 1	401 City Avenue ~~P.O. Box 1240 TOOWONG~~		
Address 2	Suite 900		
City	Bala Cynwyd ~~Queensland~~	**State/Province**	PA
Country i	US ~~AU~~	Postal Code	19004 ~~4066~~
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Signature	/Robert D. Leonard/			Date (YYYY-MM-DD)	2014-06-16
First Name	Robert D.	Last Name	Leonard	Registration Number	57204

Additional Signature may be generated within this form by selecting the Add button.

Supplemental Application Data Sheet

PTO/AIA/14 (12-13)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	RMT-PT001.1
	Application Number	13/762,347
Title of Invention	MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK	

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.**

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 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 C o o p eration 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.

Electronic Acknowledgement Receipt

EFS ID:	19317099
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	26379
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	383651-991101
Receipt Date:	16-JUN-2014
Filing Date:	07-FEB-2013
Time Stamp:	18:15:32
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	Assignee showing of ownership per 37 CFR 3.73.	RMI-PT001_1-3_73c_Statement_aia0096-20140617.PDF	121863 d818c0341a9ded18b286fe1e0e8aaf590df5feb2	no	3
Warnings:					
Information:					

2	Power of Attorney	RMT-PT001_1-Wood_Executed_POA_aia0080-20140522.PDF	170107 7ad02fe7b871f33e2ed780105d49d69f3e45a0f7	no	2
Warnings:					
Information:					
3	Application Data Sheet	RMT-PT001_1-SupplementalADS-20140616.PDF	9597682 dd01d14f3fe1d87b3a806c588a5fc94e318c86ed	no	7
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
			Total Files Size (in bytes):	9889652	

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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/AIA/96 (08-12)
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STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: REMBRANDT MESSAGING TECHNOLOGIES, LP

Application No./Patent No.: 13/762,347 Filed/Issue Date: February 7, 2013

Titled: MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK

REMBRANDT MESSAGING TECHNOLOGIES, LP, a partnership

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

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

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 thereof is attached.

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

1. From: Inventor To: MESSMO TECHNOLOGIES PTY LTD

   The document was recorded in the United States Patent and Trademark Office at

   Reel 02461, Frame 0881, or for which a copy thereof is attached.

2. From: MESSMO TECHNOLOGIES PTY LTD To: REMBRANDT MESSAGING TECHNOLOGIES, LP

   The document was recorded in the United States Patent and Trademark Office at

   Reel 033004, Frame 0242, or for which a copy thereof is attached.

This collection of information is required by37 CFR3.73(b). The information is required toobtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentialityis governed by35 U.S.C. 122and 37 CFR1.11 and1.14. Thiscollection is estimated to take 12 minutes to complete, including gathering, preparing, and submittingthe 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 tothe 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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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

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

☑ As required by 37 CFR 3.73(c)(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.

/Robert D. Leonard/	June 16, 2014
Signature	Date
Robert D. Leonard	57,204
Printed or Typed Name	Title or Registration Number

Privacy Act Statement

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

The informationprovided 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 informationin 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 InternationalApplication 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, arecord 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 thissystem 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	383651-991101

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

MISCELLANEOUS NOTICE

OC000000068943702

Date Mailed: 06/12/2014

A communication which cannot be delivered in electronic form has been mailed to the applicant.

Doc Code: N572

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

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	383651-991101

CONFIRMATION NO. 8030

OC000000068943702

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

DATE: 06/11/14

03624
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

DENIAL OF REQUEST FOR POWER OF ATTORNEY

The request for Power of Attorney filed 06/05/14 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☐ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of _____ , a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.
- ☐ Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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- ☐ A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has been received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).
- ☐ The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).
- ☐ The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.
- ☐ The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).
- ☑ Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

Application Assistance Unit
571-272-4200

PTO/AIA/80 (07-12)
Approved for use through 11/30/2014. OMB 0651-0035
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
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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(c).

I hereby appoint:

■ Practitioners associated with Customer Number: 03624

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 assignments documents attached to this form in accordance with 37 CFR 3.73(c).

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

■ The address associated with Customer Number: 03624

OR

☐

Firm or Individual Name	Volpe and Koenig, P.C.		
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address: Rembrandt Messaging Technologies, LP
c/o Rembrandt IP Management, LLC
401 City Avenue, Suite 900
Bala Cynwyd, PA 19004

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, 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	Derek Wood	Date	5/22/2014
Name	Derek Wood	Telephone	610-822-0100
Title	Secretary of Rembrandt Virginia Technologies, LLC, general partner of assignee		

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

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

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.

PTO/AIA/96 (08-12)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office;U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of1995, no persons arerequired to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: REMBRANDT MESSAGING TECHNOLOGIES, LP

Application No./Patent No.: 13/762,347 Filed/Issue Date: February 7, 2013

Titled: MESSAGING SERVICES IN A WIRELESS COMMUNICATIONS NETWORK

REMBRANDT MESSAGING TECHNOLOGIES, LP, a partnership

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

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

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 thereof is attached.

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

1. From: Inventor To: MESSMO TECHNOLOGIES PTY LTD

   The document was recorded in the United States Patent and Trademark Office at

   Reel 02461, Frame 0881, or for which a copy thereof is attached.

2. From: MESSMO TECHNOLOGIES PTY LTD To: REMBRANDT MESSAGING TECHNOLOGIES, LP

   The document was recorded in the United States Patent and Trademark Office at

   Reel 033004, Frame 0242, or for which a copy thereof is attached.

This collection of information is required by37 CFR3.73(b). The information is required toobtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentialityis governed by35 U.S.C. 122and 37 CFR1.11 and1.14. Thiscollection is estimated to take 12 minutes to complete, including gathering, preparing, and submittingthe 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 tothe 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.

PTO/AIA/96 (08-12)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

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

☑ As required by 37 CFR 3.73(c)(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.

/Robert D. Leonard/	June 5, 2014
Signature	Date
Robert D. Leonard	57,204
Printed or Typed Name	Title or Registration Number

Privacy Act Statement

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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 informationin 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 InternationalApplication 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.
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9. A record from thissystem 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.

Electronic Acknowledgement Receipt	
EFS ID:	19224971
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	26379
Filer:	Robert D. Leonard/Justin Slater
Filer Authorized By:	Robert D. Leonard
Attorney Docket Number:	383651-991101
Receipt Date:	05-JUN-2014
Filing Date:	07-FEB-2013
Time Stamp:	16:52:26
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	Power of Attorney	RMT-PT001_1-Wood_Executed_POA_aia0080-20140522.PDF	170107 7ad02fe7b871f33e2ed780105d49d69f3e45a0f7	no	2
Warnings:					
Information:					

2	Assignee showing of ownership per 37 CFR 3.73.	RMI-PT001_1-3_73cStatement_aia0096-20140605.PDF	121866 fbc00d19759b594543dbf1b503d55a28611e13f0	no	3

Warnings:	
Information:	
Total Files Size (in bytes):	291973

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 13/762,347	Confirmation No.	8030
Applicant	: MERRETT, Graham		
Filed	: February 7, 2013		
TC/A.U.	: 2643		
Examiner	: D AGOSTA, Stephen M		
Docket No.	: 383651-991101		
Customer No.	: 26379		

Title: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Certificate of Transmission Under 37 CFR 1.8
I hereby certify that this correspondence is being transmitted via electronic submission, attention M/S MISSING PARTS, Commissioner for Patents, Alexandria, VA 22313-1450 on:

August 1, 2013

/Timothy W. Lohse/
Timothy W. Lohse

* * *

RESPONSE TO INFORMATIONAL NOTICE TO APPLICANT

Examiner:

In response to the "Informational Notice to Applicant" mailed by the United States Patent and Trademark Office on March 8, 2013, the following documents are enclosed to accept the application as deposited for the above-referenced non-provisional patent application:

1. Response to Informational Notice to Applicant (2 pgs.);
2. Signed Declaration (2 pgs.);
3. Verified Statement Claiming Small Entity Status (2 pgs.); and
4. Information Disclosure Statement (3 pgs.).

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. **07-1896** referencing Attorney Docket No. **383651-991101.**

Please telephone the undersigned at (650) 833-2055, if there are any questions.

Respectfully submitted,

DLA PIPER LLP (US)

Dated: August 1, 2013

By /Timothy W. Lohse/
Timothy W. Lohse
Attorney for Applicant
Reg. No. 35,255

DLA PIPER LLP (US)
2000 University Street
East Palo Alto, CA 94303
Telephone: (650) 833-2000
Facsimile: (650) 687-1186
timothy.lohse@dlapiper.com

PTO/AIA/08 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required)

Attorney Docket Number	383651-991101
First Named Inventor	MERRETT, Graham
COMPLETE IF KNOWN	
Application Number	13/762,347
Filing Date	February 7, 2013
Art Unit	2643
Examiner Name	D AGOSTA, Stephen M

Messaging Service in a Wireless Communications Network

(Title of the Invention)

As a below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application,

OR

☒ United States Application Number or PCT International application number 13/762,347

filed on 02/07/2013.

The above-identified application was made or authorized to be made by me.

I believe I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Authorization To Permit Access To Application by Participating Office

☐ If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified patent application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified patent application is filed to have access to the above-identified patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the above-identified patent application with respect to: 1) the above-identified patent application-as-filed; 2) any foreign application to which the above-identified patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified patent application; and 3) any U.S. application-as-filed from which benefit is sought in the above-identified patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.FormsWorkflow.com

PTO/AIA/08 (08-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:	☒	The address associated with Customer Number:	26379	OR ☐	Correspondence address below

Name		
Address		
City	State	Zip
Country	Telephone	Email

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. Petitioner/applicant is advised that documents which form the record of a patent application (such as the PTO/SB/01) are placed into the Privacy Act system of records DEPARTMENT OF COMMERCE, COMMERCE-PAT-7, System name: *Patent Application Files* . Documents not retained in an application file (such as the PTO-2038) are placed into the Privacy Act system of COMMERCE/PAT-TM-10, System name: *Deposit Accounts and Electronic Funds Transfer Profiles*.

LEGAL NAME OF SOLE OR FIRST INVENTOR:			
(*E.g.*, Given Name (first and middle (if any)) and Family Name or Surname) Graham MERRETT			
Inventor's Signature		Date (Optional)	
Residence: City Queensland	State	Country AU	
Mailing Address 55 Lewis Street, Woolloongabba			
City Queensland	State	Zip 4102	Country AU

☐ Additional inventors are being named on the _____ supplemental sheet(s) PTO/AIA/10 attached hereto

American LegalNet, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	MERRETT, Graham	Filing Date:	February 7, 2013
Serial No:	13/762,347	Group Art Unit:	2643
Docket No.:	383651-991101	Examiner:	D AGOSTA, Stephen M
Title:	Messaging Service in a Wireless Communications Network		

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Verified Statement Claiming Small Entity Status

In the name of: Messmo Technologies Pty. Ltd.
described in

[ ] the specification filed herewith
[X] application serial no. 13/762,347 filed on February 7, 2013
[ ] patent no. _____, issued _____

Small Business Concern Statement

I hereby declare that I am

[ ] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: **Messmo Technologies Pty. Ltd.**

Address of Concern: **P.O. Box 1240**
Toowong, QLD 4066, Australia

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e):

Organization Identification

[X] no such person, concern, or organization

Acknowledgment and Declaration

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.78(b))

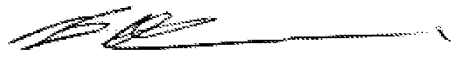
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, 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, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Brendan O'Kane

Title of Person Signing: CEO

Name of Concern: **Messmo Technologies Pty. Ltd.**

Address of Concern: **P.O. Box 1240**
Toowong, QLD 4066, Australia

Signature: 

Title: CEO

Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 13/762,347	Confirmation No.	8030
Applicant	: MERRETT, Graham		
Filed	: February 7, 2013		
TC/A.U.	: 2643		
Examiner	: D AGOSTA, Stephen M		
Docket No.	: 383651-991101		
Customer No.	: 26379		

Title: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Certificate of Transmission Under 37 CFR 1.8
I hereby certify that this correspondence is being transmitted via electronic submission, attention M/S MISSING PARTS, Commissioner for Patents, Alexandria, VA 22313-1450 on:

August 1, 2013

/Timothy W. Lohse/
Timothy W. Lohse

* * *

RESPONSE TO INFORMATIONAL NOTICE TO APPLICANT

Examiner:

In response to the "Informational Notice to Applicant" mailed by the United States Patent and Trademark Office on March 8, 2013, the following documents are enclosed to accept the application as deposited for the above-referenced non-provisional patent application:

1. Response to Informational Notice to Applicant (2 pgs.);
2. Signed Declaration (2 pgs.);
3. Verified Statement Claiming Small Entity Status (2 pgs.); and
4. Information Disclosure Statement (3 pgs.).

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. **07-1896** referencing Attorney Docket No. **383651-991101.**

Please telephone the undersigned at (650) 833-2055, if there are any questions.

Respectfully submitted,

DLA PIPER LLP (US)

Dated: August 1, 2013

By /Timothy W. Lohse/
Timothy W. Lohse
Attorney for Applicant
Reg. No. 35,255

DLA PIPER LLP (US)
2000 University Street
East Palo Alto, CA 94303
Telephone: (650) 833-2000
Facsimile: (650) 687-1186
timothy.lohse@dlapiper.com

INFORMATION DISCLOSURE STATEMENT		
	Applicant(s):	MERRETT, Graham
	Application No.	13/762,347
	Filed:	February 7, 2013
	For:	Messaging Service in a Wireless Communications Network
	Group Art Unit:	2643
	Examiner:	D AGOSTA, Stephen M
	Attorney Docket No.:	383651-991101

Commissioner of Patents and Trademarks
(Via Electronic Filing)

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

(a)	☐	accompanies a new patent application submitted herewith.
(b)	☒	is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
(c)	☐	after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR
(d)	☐	is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee ($90) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
(e)	☐	is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee ($200) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

(f)	☐	Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
(g)	☐	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 this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Regarding the concise statements required for any foreign-language references, a copy of an associated foreign Office Action indicating the relevance is provided in English; see MPEP 609.04(a)(III).

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. **07-1896**.

Respectfully submitted,

Date: August 1, 2013

DLA PIPER LLP (US)

By: /Timothy W. Lohse/
Timothy W. Lohse
Reg. No. 35,255
Attorneys for Applicant(s)
2000 University Avenue
East Palo Alto, CA 94303-2248
650-833-2055

☒ *Customer Number or Bar Code Label*

26379
(Insert Customer No. or Attach bar code label here)

Certificate of Transmission Under 37 CFR 1.8
I hereby certify that this correspondence is being transmitted via electronic submission, attention
Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450
on:
August 1, 2013

/Timothy W. Lohse/
Timothy W. Lohse

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number 383651-991101	Application Number 13/762,347
	Applicant MERRETT, Graham	
	Filing Date February 7, 2013	Group Art Unit 3643

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	8,060,566	01 Oct 2008	McLean			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED

Electronic Acknowledgement Receipt

EFS ID:	16478363
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	26379
Filer:	Timothy W. Lohse/Jason Lee
Filer Authorized By:	Timothy W. Lohse
Attorney Docket Number:	383651-991101
Receipt Date:	01-AUG-2013
Filing Date:	07-FEB-2013
Time Stamp:	15:24:41
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	Applicant Response to Pre-Exam Formalities Notice	Response_to_Informational_Notice_to_Applicant-MESSMO-991101.pdf	160970 05810d7e102a3e0d40a07e0cd07b18daa6b780e1	no	2
Warnings:					
Information:					

2	Oath or Declaration filed	Declaration_for_Utility_or_Design_Patent_Application-MESSMO-991101.pdf	540294 8488f4dccd71b706e9784883e3e4fb6c2b188352	no	2
Warnings:					
Information:					
3	Miscellaneous Incoming Letter	Verified_Statement_Claiming_Small_Entity_Status-MESSMO-991101.pdf	396532 2d315b12f0f07a8b8ee5c6c0c71ac1805bf0d9c9	no	2
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Form (SB08)	Information_Disclosure_Statement-MESSMO-991101.pdf	380225 30d0a910ff53687ea1ffa64284883725b313d8ae	no	3
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
			Total Files Size (in bytes):	1478021	

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.

New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	383651-991101

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

PUBLICATION NOTICE

OC000000061925593

Title:MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Publication No.US-2013-0150102-A1
Publication Date:06/13/2013

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

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

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	383651-991101

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

NOTICE

OC000000059652069

Date Mailed: 03/08/2013

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

A new inventor's oath or declaration that identifies this application (e.g., by Application Number and filing date) is required. The inventor's oath or declaration does not comply with 37 CFR 1.63 in that it:

- does not state that the above-identified application was made or authorized to be made by the person executing the oath or declaration.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/762,347

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	98		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))	27 minus 20 =	* 7	x 31 =	217	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 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	750		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 =	
	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	

		(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 =	
	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 found in the appropriate box in column 1.

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/762,347	02/07/2013	Graham Merrett	383651-991101

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

POA ACCEPTANCE LETTER

OC000000059610667

Date Mailed: 03/08/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/07/2013.

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.

/hchristian/

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

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UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/762,347	02/07/2013	2642	750	383651-991101	27	2

CONFIRMATION NO. 8030

26379
DLA PIPER LLP (US)
2000 UNIVERSITY AVENUE
EAST PALO ALTO, CA 94303-2248

FILING RECEIPT

Date Mailed: 03/08/2013

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**

Inventor(s)

Graham Merrett, Queensland, AUSTRALIA;

Applicant(s)

Graham Merrett, Queensland, AUSTRALIA;

Assignment For Published Patent Application

Messmo Technologies Pty. Ltd., Queensland, AUSTRALIA

Power of Attorney: The patent practitioners associated with Customer Number 26379

Domestic Priority data as claimed by applicant

This application is a CON of 12/452,883 07/07/2010 PAT 8401576 *
which is a 371 of PCT/AU2008/001043 07/18/2008
(*)Data provided by applicant is not consistent with PTO records.

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.)
AUSTRALIA 2007903979 07/24/2007
AUSTRALIA 2007906230 11/13/2007

Request to Retrieve - This application either claims priority to one or more applications filed in an intellectual property Office that participates in the Priority Document Exchange (PDX) program or contains a proper **Request to Retrieve Electronic Priority Application(s)** (PTO/SB/38 or its equivalent). Consequently, the USPTO will attempt to electronically retrieve these priority documents.

If Required, Foreign Filing License Granted: 02/28/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/762,347**

Projected Publication Date: 06/13/2013

Non-Publication Request: No

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

MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Preliminary Class

455

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

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).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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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 U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

PTO/AIA/15 (07-12)
Approved for use through 01/31/2014. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	383651-991101
First Inventor	Graham Merrett
Title	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
Express Mail Label No.	Via Electronic Filing

APPLICATION ELEMENTS

See *MPEP chapter 600 concerning utility patent application contents.*

1. ☒ **Fee Transmittal Form.** (PTO/SB/17 or equivalent)
2. ☒ **Applicant claims small entity status.** See 37 CFR 1.27.
3. ☒ **Specification.** [*Total Pages* 22] Both the claims and abstract must start on a new page *(For information on the preferred arrangement, see MPEP § 608.01(a))*
4. ☒ **Drawing(s).** (*35 U.S.C. 113*) [*Total Sheets* 7]
5. **Inventor's Oath or Declaration.** [*Total Sheets* 3] *(including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))*
   a. ☐ Newly executed (original or copy)
   b. ☒ A copy from a prior application (37 CFR 1.63(d))
6. ☒ **Application Data Sheet.** **See Note below.* See 37 CFR 1.76 (PTO/AIA/14 or equivalent)
7. ☐ **CD-ROM or CD-R.** in duplicate, large table or Computer Program *(Appendix)*
   ☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission.** *(if applicable, items a. – c. are required)*
   a. ☐ Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

ADDRESS TO: **Commissioner for Patents**
P.O. Box 1450
Alexandria VA 22313-1450

ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers.** (cover sheet & document(s))
   Name of Assignee Messmo Technologies Pty. Ltd.
10. ☒ **37 CFR 3.73(c) Statement.** ☒ **Power of Attorney.** *(when there is an assignee)*
11. ☐ **English Translation Document.** *(if applicable)*
12. ☒ **Information Disclosure Statement.** (PTO/SB/08 or PTO-1449)
    ☒ Copies of citations attached
13. ☐ **Preliminary Amendment.**
14. ☐ **Return Receipt Postcard.** *(MPEP § 503) (Should be specifically itemized)*
15. ☐ **Certified Copy of Priority Document(s).** *(if foreign priority is claimed)*
16. ☐ **Nonpublication Request.** Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
17. ☐ **Other:** _____

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

19. CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: 26379 ***OR*** ☐ Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	/Timothy W. Lohse/	Date	February 7, 2013
Name (Print/Type)	Timothy W. Lohse	Registration No. (Attorney/Agent)	35,255

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

American LegalNet, Inc.
www.FormsWorkFlow.com

MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Graham Merrett

CROSS-REFERENCE TO RELATED APPLICATIONS/PRIORITY CLAIMS

This Application is a continuation of and claims priority under 35 USC 120 to U.S. Patent Application Serial No. 12/452, 883, filed on July 7, 2010 and entitled "Messaging Service In A Wireless Communications Network" which in turn claims priority to PCT Patent Application No. PCT/AU2008/001043, filed July 18, 2008 and entitled "Messaging Service In A Wireless Communications Network" that in turn claims priority to Australian Patent Application No. 2007903979 filed Jul. 24, 2007, titled, MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK and Australian Patent Application No. 2007906230 filed Nov. 13, 2007, titled MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK, the entirety of which all of which are incorporated herein by reference.

Technical Field

This invention concerns a messaging service in a wireless communications network.

Background Art

Short Messaging Service (SMS) is a technology for sending and receiving short text messages between mobile users. It was first introduced in the Global System for Mobile Communications (GSM) standards in the 1990s but was subsequently included in other wireless standards such as Code Division Multiple Access Systems (CDMA). Although SMS is extremely popular, one of its biggest drawbacks is that an SMS message can only carry a small amount of data due to limitations imposed by the Mobile Application Part (MAP) protocol of SS7. An SMS message can only contain up to 160 8-bit alphanumeric or binary characters and any message longer than 160 characters is usually sent in multiple messages.

A Short Messaging Service Centre (SMSC) is responsible for handling the delivery of SMS messages in a wireless communications network. An SMS message sent by a mobile user is first delivered to the user's network SMSC before being routed to the recipient. If the recipient's network is operated by a different provider or employs a different wireless standards, the

message may pass more through more than one SMSC or SMSC gateway before reaching its final destination. Signalling System 7 (SS7) provides the transport mechanism for SMS traffic.

There are several messaging services that provide an extension to SMS. Enhanced Messaging Service (EMS), which uses existing SMS infrastructure, allows up to 255 SMS messages to be packaged as one EMS message having richer content such as animation, pictures, sounds and formatted text. Unlike SMS and EMS, Multimedia Messaging Service (MMS) messages are delivered using a mobile packet data network. MMS was first introduced in 2.5 generation networks such as GPRS, which provides an Internet Protocol (IP) overlay to the existing GSM networks. A multimedia message may contain images, audio clips and videos.

On the other hand, Mobile Instant Messaging (MIM) technology enables mobile devices to engage in real-time, instant messaging via an IP data network. Users need to register a user name tag or "handle" with an instant messaging service provider to send and receive messages. Many current MIM services also require users to maintain a persistent connection with the Internet during a chat session.

Disclosure Of The Invention

In a first aspect, the invention is a method for providing a messaging service on a wireless device in a wireless communications network; the method comprising the steps of:

Retrieving the destination address of an outgoing message on the device.

Verifying whether the destination address is capable of receiving the message via a packet-switched bearer.

If verification is affirmative, then automatically sending the message to the destination address via a packet-switched bearer, but otherwise, automatically sending the message to the destination address via an SMS bearer.

Unlike conventional SMS, EMS and MIM clients, the invention combines existing messaging solutions to offer a single interface for sending and receiving both text and multimedia messages. The automatic bearer selection enables the user to have the widest range of

messaging options, including text, voice, video, picture, based on knowledge of the status and capability of the recipient's device.

The SMS bearer may be a conventional GSM SS7 signalling channel. The packet-switched bearer may be a HSDPA, WCDMA, CDMA2000, GPRS or similar data bearer. The packet-switched bearer may also supported by other wireless technologies such as Bluetooth, WiFi, WiMax. Further, the packet-switched bearer may be operated by a sender's mobile operator or an independent mobile Internet service provider. Compared with an SMS bearer, a packet-switched data bearer is able to send a message with unlimited size at a higher speed.

The destination address may be a mobile phone number or a numeric "shortcode" or alias representing one or more, or a combination of, phone numbers, email addresses, instant messaging user handles and IP addresses. Therefore, for all users of the messaging service, and unlike conventional MIM clients, the invention utilises a user's mobile phone number as the identifier of the user, and does not require the user to register a user name, tag or handle, thus providing a single number for message sending.

A message client running on the device may programmatically and dynamically construct an outgoing message in the correct syntax given the user's preferences and given the dynamic requirements of the message server for a particular service.

The message client may interpret incoming SMS or incoming messages from the message server that are identified in their contents as being requirements for the dynamic construction of a message, when the user views the message.

Alternatively, the message client may interpret incoming SMS or incoming messages from the message server that are identified in their contents as being requirements for the dynamic construction of a message, and store the requirements for the dynamic construction of a message, such that they may be invoked by selecting a dynamic menu option.

The requirements may be set out in a structured format using XML such that the message client shall, when a user opens a message containing requirements for the dynamic construction of a message, or when a user selects a dynamic menu:

Present the user with options to choose from; and

For each option, know the intended destination and bearer of the message; and

Prompt the user for input or to select a file to be sent with the constructed message; and

Construct a message of the correct syntax based on the user's choices and input.

The method may further comprise the step of connecting to a message server before verifying the destination address. If connection to the message server is not available, the invention may support several configuration methods in order to configure the mobile device so as to be able to establish a connection to the message server.

Firstly, the method may comprise the step of retrieving connection parameters and displaying the retrieved parameters on the mobile device if connection to a message server is not available. A mobile user may then use the retrieved parameters to manually configure the handset before retrying to connect to the message server.

Besides manual configuration, the invention may support manual and automatic over-the-air (OTA) programming. The method may further comprise the step of displaying a link for a sender to request an OTA configuration message if connection to the message server is not available. For example, a user may then access a website to request a configuration message to be sent to the user's mobile device.

The method may further comprise the step of retrieving connection parameters, automatically creating an OTA configuration message based on the retrieved parameters and sending the generated configuration message from the mobile device to the same mobile device. Using such automatic OTA configuration, users do not have to manually change the settings on their mobile device to establish a connection with the message server. The OTA configuration message may be a binary SMS.

The step of verifying the destination address may involve sending an address verification request to a message server and then receiving a notification from the message server specifying whether the destination address is capable of receiving the message via a packet-switched bearer.

The destination address may be capable of receiving the message via a packet-switched bearer if the address is on a subscriber address list. The subscriber address list may be a list of destination addresses that subscribes to the messaging service. The subscriber address list may be maintained by the message server.

The destination address may be capable of receiving the message using a packet-switched bearer if the address is on the subscriber address list and has an active status. For example, the recipient is inactive if the length of the message queue of the destination address exceeds a maximum allowable length.

The method may further comprise the step of automatically providing options to add one or more attachments to the outgoing message before sending the message if a packet-switched bearer is selected. The attachment may be a text, voice, video or picture file. On the other hand, an outgoing message that is sent using an SMS bearer can only be either an SMS or EMS message and not have attachments.

Using the invention, a sender may optimally add attachments to an outgoing message depending on the capability of a recipient's mobile device. For example, a user may attach a voice or video message a text message if the recipient is able to receive and play the attachment. Further, the invention uses a push model to deliver a voicemail to a mobile user without the need of retrieval.

The method may further comprise the step of formatting the outgoing message according to the mode of delivery before sending the message. If the message is sent via a packet-switched data bearer, the message may be formatted as an XML ASCII string.

The method may further comprise the step of appending a system message to the outgoing message if an SMS bearer is selected.

The system message may comprise an invitation to add the destination address to a subscriber address list if the destination address is not on the list. Otherwise, if the destination address is on the subscriber address list but has an inactive status, the system message may comprise an invitation to retrieve messages in the message queue of the destination address.

By sending an invitation to non-subscribers to add their destination address to the subscriber address list, new users may subscribe to the messaging service without having to actively source how to obtain the service. This viral, peer-to-peer invitation method also does not require central monitoring nor generate additional traffic since an invitation is appended to an outgoing message.

The method may further comprise the step of notifying the recipient, if the recipient is on the subscriber list, when either a message has been received (if the recipient is connected to the message server), or when a message is queued but not yet delivered (if the recipient is not connected to the message server). The notification method may be a single ring to the recipient's mobile device. A notification message may also be sent to the sender of the message.

The method may further comprise queuing an outgoing message for later delivery if the message is undelivered. For example, a message cannot be delivered if the destination address is on the subscriber address list, but the recipient is not, at the time of sending, connected to the message server by a packet-switched bearer.

In another aspect, the invention is a mobile device programmed to perform the method. In a further aspect, the invention is a software program to implement the method.

Brief Description of the Drawings

An example of the invention will now be described with reference to the accompanying drawings, in which:

FIG. 1 is a diagram of a messaging system.

FIG. 2(a) is the user interface on a sender's mobile device.

FIG. 2(b) is the user interface on a recipient's mobile device.

FIG. 3 is a flowchart of the routine performed by a message client.

FIG. 4 is a flowchart of the routine performed by a message client to establish a connection with a message server.

FIG. 5 is a flowchart of the address verification routine performed by a message server.

FIG. 6(a) is a diagram of the architecture of a message client.

FIG. 6(b) is an exemplary message format.

FIG. 6(c) is a diagram of a TCP/IP protocol model used by a message client.

FIG. 7 is the user interface on a sender's mobile device during a chat session.

Best Modes of the Invention

Referring first to FIG. 1, the messaging system 100 comprises a message server 170 in communication with network users 110, 120 and 125 via the Internet 160 and base stations 130, 150, 180 and 190. Base stations 130 and 150 are typical based stations in a GSM, CDMA, 3G, 3.5G or similar network that supports a HSDPA, WCDMA, CDMA2000, GPRS or similar data bearer and are connected to an SMSC via Core Network 140.

Network users 110, 120 and 125 may be part of a wireless personal area network (WPAN), a wireless local area network (WLAN) or a wireless wide area network (WWAN). Base stations 180 and 190 are wireless Internet base stations operated by an independent wireless service provider. For example, the users may access the wireless Internet using technologies such as Bluetooth, ZigBee or mesh networking in a WPAN; WiFi in a WLAN or WiMax in a WWAN.

In this example it is assumed that a first user 110 ("the sender") is sending a message to a second user 120 ("the recipient"). The message contains the phrase "Hi there!" as well as a photo and a voicemail as attachments. Referring now to FIG. 2(a), a message client 114 runs on the mobile device 112 and is responsible for choosing the mode of delivery of an outgoing message.

[0052] To use the invention, the message client 114 needs to be activated by the sender 110. However, the message client 114 may be also activated automatically when the handset is

switched on if such feature is supported by the handset's operating system. Having activated the message client 114, the sender 110 then selects or enters a destination number. The message client 114 then decides on how the message can be sent.

The recipient 120 may be on a network operated by the same or a different service provider. The sender and the recipient are each associated with an address. The destination address is either a mobile phone number or a numeric "shortcode" or "channel", which is an alias representing one or more phone number, email address or instant message handle. For example, certain number ranges may be controlled by the messaging server (e.g. 1 800 xxxxxx), some under users' control as destinations as aliases for a group of numbers and addresses (e.g. 1 801 xxxxxx), and some for accessing content services (e.g. 1 900 xxxxxx). Shortcodes are unique and private to a user, hence the same numeric shortcode may be used by multiple users.

Shortcodes are created by users and maintained by message server 170. For example, a user creates a shortcode by sending a message with the following content to the message server 170:

Add channel 20 andrew@messmo.com,
robert@yahoo.com, 0423789080, 98765432@jabber.org.

The shortcode 20 is an alias for a group comprising two email addresses, one mobile number and an instant message handle. For example, to send a message to the shortcode created, the destination address will be set to 1801 20.

The syntax of messages in the example above is strict, however the user is not limited in their use of services by limits in their own knowledge of the message syntax.

The message client 114 is able to programmatically and dynamically construct an outgoing message in the correct syntax given the user's preferences and given the dynamic requirements of the message server 170 for a particular service.

The message client 114 interprets incoming SMS or incoming messages from the message server 170 that are identified in their contents as being requirements for the dynamic construction of a message. The interpretation can occur either when the user views the message (for example a message titled "Click to create a Channel"), and/or the message client may

interpret the incoming SMS, or incoming messages from the message server 170, and store the requirements for the dynamic construction of a message, such that they may be invoked by selecting a dynamic menu option.

The requirements are set out in a structured format using XML such that the message client 114 shall, either when a user opens a message containing requirements for the dynamic construction of a message, or selects a dynamic menu:

Present the user with options to choose from; and

For each option, know the intended destination and bearer of the message; and

Prompt the user for input or to select a file to be sent with the constructed message; and

Construct a message of the correct syntax based on the user's choices and input. If the message contained requirements for the dynamic construction of a message, where those requirements are by way of example set out as:

```
<MessageConstructorRequirements>
    <MCTitle>Shortcode</ MCTitle >
    <Option>
        <OptionTitle>Subscribe</ OptionTitle>
        <Bearer>SMS</Bearer>
        <Destination>1800</Destination>
        <OutputToken DataType=`String` InputMethod=`Constant` Count=`1`>Add Channel</OutputToken>
        <OutputToken DataType=`Number` InputMethod=`Input` Count=`1`>Channel</OutputToken>
        <OutputToken DataType=`String` InputMethod=`Input` Count=`4`>Destination</OutputToken>
    </Option >
</ MessageConstructorRequirements >
```

The message client 114 would present the user with a message titled `Shortcode`, where the message client would:

- Present the user with the option `Subscribe`; and if this option is selected

- Prompt the user for one shortcode eg. User inputs 20; and
- Prompt the user for four destinations eg. User inputs andrew@messmo.com, robert@yahoo.com, 0423789080, 98765432@jabber.org; and
- Construct a message eg. `Add Channel 20 andrew@messmo.com, robert@yahoo.com, 0423789080, 98765432@jabber.org` to be sent to 1900 via SMS bearer.

Thus enabling the benefit to the user of the use of a service where they otherwise may have been unfamiliar with, or unwilling to input, the strict syntax of the message required for the service.

When a message is sent to a shortcode, the message can be sent either as a conventional SMS or EMS message using a conventional SMS bearer or a packet-switched data bearer. If a SMS bearer is used, the message will be sent via a GSM or GPRS signalling channel to Core Network 140, SMSC 145, base station 150 before finally reaching recipient 120. If an SMS bearer is used the attachments such as the photo and voicemail will not be sent.

If a packet-switched data bearer is used, the message client has a choice of sending the message using a packet-switched bearer supported by the mobile operator's or a third party's network. For example, in a GSM system with General Packet Radio Service (GPRS) overlay, an SMS bearer may be an SS7 signalling channel while a packet-switched data bearer may be a shared transmission channel that combines multiple timeslots in a GSM TDMA frame. The packet-switched data bearer may also be a Bluetooth, WiFi, WiMax or any other WPAN, WLAN, or WWAN wireless data transfer protocol.

Referring now to FIG. 3, the client 114 first checks whether the sender 110 is connected to the Internet 160 and message server 170; see step 205. As shown in FIG. 1, the sender 110 may be connected to the message server 170 via a mobile operator's data network (base stations 130) or a network provided by an independent mobile Internet service provider (base station 180).

The step of connecting to the message server 170 (step 205) will now be explained with reference to FIG. 4. The client 117 first checks whether connection to the message server 170 is

available. If the connection is not available, the client 117 displays options for the sender 110 to configure the handset such that connection to the message server 170 can be established; see step 265.

The client 117 supports three configuration methods. Firstly, manual configuration may be used; see steps 270, 272 and 274. In this case, the client 117 first retrieves information specific to the handset and the mobile Internet service provider. As mentioned, the mobile Internet service provider may be a mobile operator or an independent provider. The client 117 then displays the retrieved information such that the sender 110 can configure the handset manually; step 274.

Alternatively, if the sender's mobile device is capable of receiving and processing OTA messages, the client 117 may provide a link to a website that solicits OTA configuration requests; steps 280 and 282. The website may be operated by the message server 170 or a third party and accessed via a PC, WAP connection from the sender's mobile device or other means. Upon receiving the OTA configuration message, the sender's mobile device will ask the sender to accept the changes to its mobile Internet access settings according to the configuration message; step 298. If the changes are accepted, the client 117 then retries to connect to the message server 170; step 295.

Besides manual configuration and manual OTA configuration requests, the client 117 is capable of performing self-configuration; see steps 290, 292 and 294. Assuming that the client 117 is aware of the specific parameters necessary to configure the sender's mobile device to access the mobile Internet, the client 117 first creates an OTA configuration message based on the parameters. The client 117 then sends the OTA message to the sender's handset (same device). For example, the message may be sent as an OTA binary SMS. Upon receiving the OTA configuration message, the sender's mobile device asks the sender to accept the changes to its mobile Internet access settings according to the configuration message; step 298. Similarly, the client 117 then retries to connect to the message server 170 when under the new settings; step 295.

The above configuration steps may be repeated until either the message server 170 is connected or the user has abandoned the configuration in step 265. In this case, that is the

connection to the message server 170 is not available, the client 117 will select an SMS bearer as the mode of delivering the outgoing message and proceeds to format the message in step 240. Note that besides configuring the mobile Internet access settings of a mobile device, the client 117 may generate OTA messages to configure other settings such as email, WAP, MMS and video streaming.

If the sender has access to the message server 170, the client 114 then retrieves from the message without reference to the message server the destination address of the outgoing message 220; see step 210. The client then sends a verification request to the message server 170 via base station 130 or 180 and the Internet 160; step 215.

Upon receiving an address verification request, the message server 170 performs the method shown in FIG. 5. The message server 170 first checks whether the destination address is on a list of subscribing addresses; step 320. If the destination address is not known to the message server 170, the mode of delivery will be set to an SMS bearer; step 350.

If the destination is on the list of subscribing addresses, the message server 170 proceeds to check the status of the recipient, that is whether the destination message queue length has exceeded a predetermined maximum length; 330. If the recipient has a long inactive queue, the message server 170 will notify the message client 114 to send the message using an SMS bearer; see step 350. Otherwise, the mode of delivery is set to a packet-switched bearer; see step 360 in FIG. 5.

Referring to FIG. 3 again, the message client 114 at the sender 110 provides options for format and attachment of the outgoing message based on the mode of delivery; steps 224, 226, 230 and 240. The mode of delivery, using information about the recipient's handset stored in the message server, provides an indication of the capabilities of the recipient's handset and the type of message that can be received by the recipient's 120. If the recipient 120 is an active user, the full range of the recipient's capabilities is assumed. However, if the recipient 120 is an inactive or past subscriber, the message server's 170 knowledge of the recipient's capabilities may be outdated if the recipient has changed its handset. The recipient 120 may then be invited to update its information.

The message client 114 then intelligently advises the sender 110 whether the recipient 120 is able to read attachments or non-text messages. For example, if the mode of delivery is a packet-switched bearer, the sender 110 is offered with the "ATTACH" option to add voice, picture or video attachments to the message; see FIG. 2(a) and steps 224 and 226 in FIG. 3.

If the mode of delivery is an SMS bearer, the "ATTACH" option will be disabled. Further, depending on configurable settings on the sender's mobile device, the client 117 also appends a system message to the outgoing message in step 245. If the destination address is not on the list of subscribing addresses, an invitation to download the client will be added to the outgoing SMS or EMS. For example, the invitation may read:

"Go to www.clientdownload.com to download <name of message client>".

The message client 114 can then be downloaded to the recipient's mobile device 120. Then upon starting the message client, the message client will generate a unique authentication identifier, either randomly or derived from the mobile devices hardware identification or generated by the message server. The message client will then initiate a connection to the message server and communicate the authentication identifier. The message client will in parallel send a SMS containing the authentication identifier to a SMS gateway service. The SMS gateway service then sends the message, including the originating phone number and the body of the message containing the authentication identifier, to the message server via HTPP, SMTP, SMPP or a similar protocol.

Upon receipt of the details of a SMS, the message server will determine the originating phone number of the mobile device from the details of the SMS, and hence add the new address (originating phone number) to the list of subscribing addresses. By matching the authentication identifier, either the message server will send the message client confirmation that the mobile device and user has been authenticated, or the message client will initiate the action and request the same confirmation from the message server. This authentication method allows new users to be authenticated and to subscribe to the messaging service via one SMS without requiring any registration or data entry.

If the destination address is on the list of subscribing addresses but the recipient 120 is inactive, a message to remind the recipient 120 to connect to the message server 170 will be appended to the outgoing SMS or EMS. For example, the system message may read:

"You have 50 unread messages on <name of message client>." Returning to the sending mobile device 110, if the mode of delivery is a packet-switched bearer, the message client manages the delivery of the message similar to a MIM client such as Jabber. An exemplary architecture of the message client is shown in FIG. 6(a), where the message client may be a Java 2, Mobile Edition (J2ME) program installed on a mobile device. The formatted message is sent as an XML ASCII string via a TCP/IP socket to the message server or a HTTP post, an example of which is shown in FIG. 6(b). The message contains a text phrase "Hi there!" in the body and two attachments. A photo attachment is defined between <photo> and </photo> and a voicemail is defined between <voicemail> and </voicemail>.

FIG. 6(c) illustrates the five-layer TCP/IP protocol model used by the message client. GPRS, 3G, 3.5G or other wireless protocols such as Bluetooth, WiFi and Wimax are used in the data link layer to deliver the message from the mobile device to the wireless communications network, IP is used in the network layer to deliver the packet from the sender to the recipient, UDP and TCP form the transport layer and HTTP, WAP and XML are used in the application and presentation layers.

FIG. 2(b) shows the user interface of the recipient 120 when a message is received. The recipient 120 may receive a notification when the message has been successfully received as the recipient while being connected to the messaging server, may be using another function of the mobile device. The notification may be a single ring of the recipient's mobile device.

If the destination address is a shortcode, steps 320 and 330 in FIG. 5 are repeated for each phone number, email address and user name tag represented by the shortcode. If not all addresses in the shortcode are capable of receiving the message via a packet-switched data bearer, the reply by message server 170 may be an array of binary answers. For example, if a shortcode represents three addresses and only the first has installed the message client, the mode of delivery is set to $m_1m_2m_3$=100, where 1 represents a packet-switched bearer and 0 represents an SMS bearer.

A delivery confirmation message may also be sent to the sender 110 by the message 170 if the message is sent using a packet-switched bearer. The message client 114 maintains a copy of recent messages sent by a user, for example, for a limited time. If a message is unsuccessfully delivered, it will be queued for later delivery. For example, a message cannot be delivered if the recipient 120 is not connected to the message server 170 when the message is sent. In this case the recipient 120 may receive a notification that a message is queued for later delivery. The notification may be a single ring of the recipient's mobile device, generated by the message server 170, but using a different originating number from that used for the notification when the message has been delivered, so as to enable the user to optionally utilise mobile device features such as distinct ringtones mapped to sending numbers.

A sender 110 and a recipient 120 may send and receive multiple messages during a chat session. The user interface may be similar to that of a desktop instant messaging program. For example, an exemplary user interface of sender 110 is shown in FIG. 7. A left arrow indicates a message sent by the sender while a right arrow represents a received message. Depending on configurable user preferences, the recipient 120 with phone number 1234 may choose to have his or her presence known to the sender 110; see 116 in FIG. 7. Using the presence information, the sender 110 may then stop sending new messages to the recipient 120 if the latter has gone offline.

Besides performing address verification, the message server 170 also maintains user authentication. Authentication is simple and does not require a user to create a user name tag like existing MIM servers. Instead, the user's mobile phone number is the default identifier. Authentication adds the mobile phone number to the subscriber address list.

Referring to FIG. 1 again, the message server 170 receives each message that is sent using a packet switched bearer. Each message is in an XML format. and the message server parses the message to determine the destination address.

The message server 170 is also in communication with third-party content providers 175 over the Internet 180. When the message server identifies a destination address corresponding to a third party content provider, it automatically sends the message to the third party. The third party may, for example depending on the presence of keywords, send additional information related to the keywords to the sender 110. However, a user may disable this feature.

For example, if the message contains the name of a certain brand, BUYME, information concerning where to buy the product or its latest promotion will be retrieved from the third party content provider in communication with the message server. In this case, depending on the capability of the recipient's mobile device, the information may be sent as a conventional SMS or as a text message via a packet-switched bearer, with optionally one or more attachments.

User privacy may be protected by not revealing a user's phone number to a third party without the consent of the user. For example, a user may send a query to a third party content provider 175 to ask about the weather forecast in a particular location via the message server 170. To hide a user's identity, the message server may dynamically create a random number that maps to the user's actual mobile number and passes the query to the third party content provider 175. Further, this mapping may be dynamic, not static, to ensure that the third party is not able to determine information about the general behaviour of the users.

Similar to user-to-user messages, the type of advertising and marketing message that is sent to a user also depends on the capabilities of the user's handset. Therefore since the message server is aware of the capabilities of user's handsets, as user handsets are upgraded, the message server 170 is able to target those users with enhanced, multimedia message content.

It will be appreciated by persons skilled in the art that numerous variations and/or modifications may be made to the invention as shown in the specific embodiments without departing from the spirit or scope of the invention as broadly described. For instance, the current application outlines how a user, when using a message client, will be prompted to use an SMS, if the recipient is not a user of the message service. The existing context of this is that the user is initiating the message. The functionality can be extended to the situation where a message is sent using the message client with the goal of prompting the user to send a response SMS. This can be useful in generating SMS traffic from third parties by sending one message that prompted the recipients to select one or more voting buttons each of which causes an SMS to be sent to a specific premium number.

Conversely the same concept works well for a community of users of a message client who do not wish to use premium numbers. The entire community can be polled. Each receives an indication to select a voting button, and the selections each cause a message with predetermined

text to be sent to a predetermined recipient. This minimises the event of false responses that cannot be counted.

The present embodiments are, therefore, to be considered in all respects as illustrative and not restrictive.

Claims:

1. A method for providing a messaging service on a wireless device, the method comprising:

retrieving, by a wireless device of a sender, a numeric destination address associated with a wireless device of a recipient, from an outgoing message on the wireless device of the sender, wherein the wireless device of the sender is capable of sending the outgoing message to the same numeric destination address via a packet-switched bearer and an SMS bearer;

the wireless device of the sender verifying whether the numeric destination address is currently capable of receiving the outgoing message via the packet-switched bearer;

automatically sending, by the wireless device of the sender if the verification is affirmative, the outgoing message to the wireless device of the receipient at the numeric destination address via the packet-switched bearer; and

automatically sending, by the wireless device of the sender if the verification is not affirmative, the outgoing message to the wireless device of the receipient at the numeric destination address via the SMS bearer.

2. The method of claim 1 further comprising programmatically and dynamically constructing, by a message client running on the wireless device of the sender, the outgoing message in a correct syntax given the user's preferences and given the dynamic requirements of a message server for a particular service.

3. The method of claim 2 further comprising interpreting, by the message client running on the wireless device of the sender, incoming SMS or incoming messages from the message server that are identified in their contents as being requirements for the dynamic construction of a message, when the user views the message.

4. The method of claim 2 further comprising interpreting, by the message client running on the wireless device of the sender, incoming SMS or incoming messages from the message server that are identified in their contents as being requirements for the dynamic construction of a message and storing the requirements for the dynamic construction of a message.

5. The method of claim 3, wherein the requirements are set out in a structured format such that the message client shall, when a user opens a message containing requirements for the dynamic construction of a message:

present the user with options to choose from; and

for each option, know the intended destination and bearer of the message; and

prompt the user for input or to select a file to be sent with the constructed message; and construct a message of the correct syntax based on the user's choices and input.

6. The method of claim 4, wherein the requirements are set out in a structured format such that the message client shall, when a user selects a dynamic menu:

present the user with options to choose from; and

for each option, know the intended destination and bearer of the message; and

prompt the user for input or to select a file to be sent with the constructed message; and construct a message of the correct syntax based on the user's choices and input.

7. The method of claim 1, wherein the numeric destination address is a mobile phone number or a numeric "shortcode" or an alias representing one or more, or a combination of, phone numbers, email addresses, instant messaging user handles and IP addresses.

8. The method of claim 1 further comprising connecting to a message server before verifying the numeric destination address.

9. The method of claim 8 further comprising retrieving connection parameters and displaying the retrieved parameters on the mobile device, if connection to a message server is not available, in order to configure the mobile device to establish a connection to the message server.

10. The method of claim 1, wherein verifying the numeric destination address further comprises sending an address verification request to a message server and receiving a notification from the message server specifying whether the numeric destination address is capable of receiving the message via a packet switched bearer currently an active messaging service subscriber.

11. The method of claim 1 further comprising automatically providing options to add one or more attachments to the outgoing message before sending the message if a packet-switched bearer is selected.

12. The method of claim 11, wherein the attachment is a text, voice, video or picture file.

13. The method of claim 1 further comprising formatting the outgoing message according to the mode of delivery before sending the message.

14. The method of claim 13 further comprising appending a system message to the outgoing message if an SMS bearer is selected.

15. The method of claim 14, wherein the system message comprises an invitation to add the numeric destination address to the messaging service subscriber address list if the numeric destination address is not on the list.

16. The method of claim 14, wherein, if the numeric destination address is on the messaging service subscriber address list but has an inactive status, the system message comprises an invitation to retrieve messages in a message queue of the numeric destination address.

17. The method of claim 16 further comprising notifying the recipient, if the recipient is on the messaging service subscriber list, when either a message has been received, or when a message is queued but not yet delivered.

18. The method of claim 1 further comprising queuing an outgoing message for later delivery if the message is undelivered.

19. A mobile device programmed to perform the method according to claim 1.

20. A wireless device, comprising:

a memory;

a message client stored in the memory;

the message client having instructions that retrieve a numeric destination address associated with a wireless device of a recipient, from an outgoing message, wherein the wireless device of the sender is capable of sending the outgoing message to the same numeric destination address via a packet-switched bearer and an SMS bearer, instructions that verify whether the numeric destination address is currently capable of receiving the outgoing message via the packet-switched bearer and that determine whether the numeric destination address is currently an active messaging service subscriber, instructions that automatically send, if the verification is affirmative, the outgoing message to the wireless device of the receipient at the numeric

destination address via the packet-switched bearer, and instructions that automatically send, if the verification is not affirmative, the outgoing message to the wireless device of the receipient at the numeric destination address via the SMS bearer.

21. The device of claim 20, wherein the message client has instructions that programmatically and dynamically construct the outgoing message in a correct syntax given the user's preferences and given the dynamic requirements of a message server for a particular service.

22. The device of claim 21, wherein the message client has instructions that interpret incoming SMS or incoming messages from a message server that are identified in their contents as being requirements for the dynamic construction of a message, when the user views the message.

23. The device of claim 21, wherein the message client has instructions that interpret incoming SMS or incoming messages from the message server that are identified in their contents as being requirements for the dynamic construction of a message and storing the requirements for the dynamic construction of a message.

24. The device of claim 20, wherein the numeric destination address is a mobile phone number or a numeric "shortcode" or an alias representing one or more, or a combination of, phone numbers, email addresses, instant messaging user handles and IP addresses.

25. The device of claim 20, wherein the message client has instructions that send an address verification request to a message server and receives a notification from the message server specifying whether the numeric destination address is capable of receiving the message via a packet switched bearer currently an active messaging service subscriber.

26. The device of claim 20, wherein the message client is an application.

27. The device of claim 26, wherein the application is a java program.

ABSTRACT OF THE DISCLOSURE

This invention concerns a messaging service in a wireless communications network. In a first aspect, the invention is a method for providing a messaging service on a wireless device in a wireless communications network; the method comprising the steps of: Retrieving the destination address of an outgoing message on the device. Verifying whether the destination address is capable of receiving the message via a packet-switched bearer. If verification is affirmative, then automatically sending the message to the destination address via a packet-switched bearer, but otherwise, automatically sending the message to the destination address via an SMS bearer. In another aspect, the invention is a mobile device programmed to perform the method. In a further aspect, the invention is a software program to implement the method.

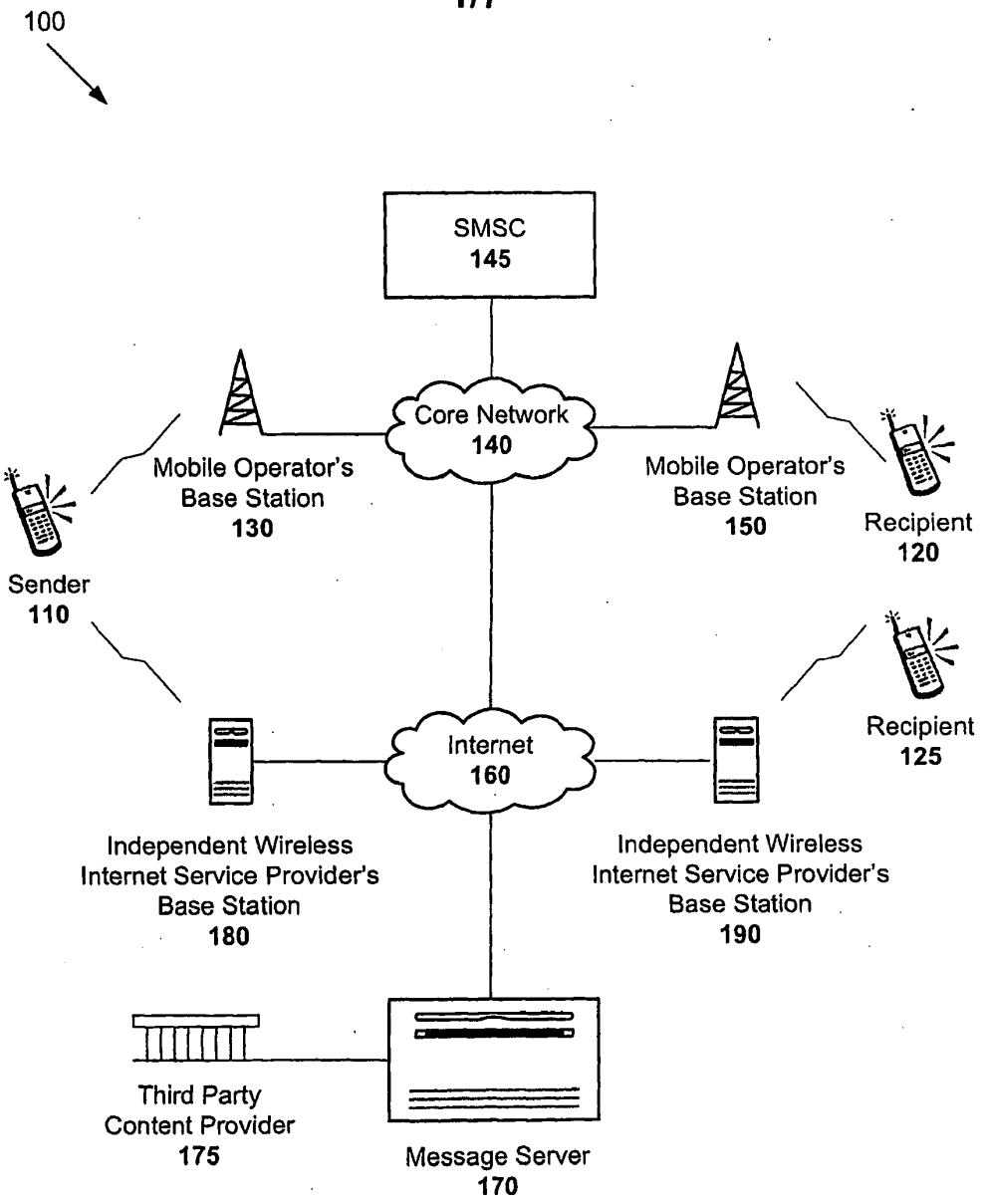

100
SMSC
145
Core Network
140
Mobile Operator's
Base Station
130
Mobile Operator's
Base Station
150
Recipient
120
Sender
110
Recipient
125
Internet
160
Independent Wireless
Internet Service Provider's
Base Station
180
Independent Wireless
Internet Service Provider's
Base Station
190
Third Party
Content Provider
175
Message Server
170

FIG. 1

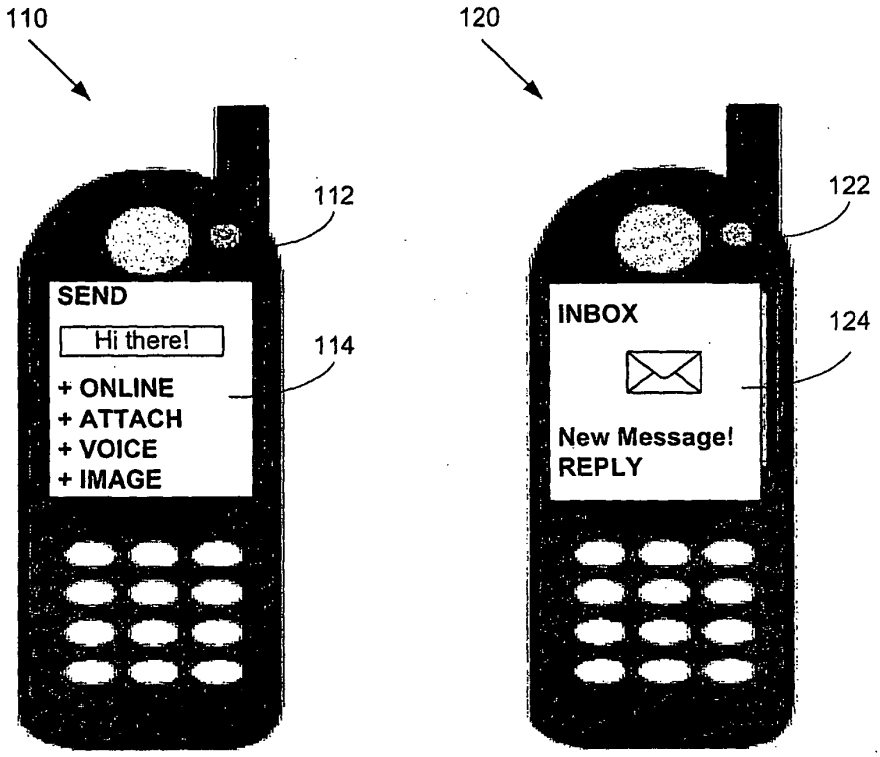

110
120
112
122
SEND
Hi there!
114
+ ONLINE
+ ATTACH
+ VOICE
+ IMAGE
INBOX
124
New Message!
REPLY
(a)
(b)

FIG. 2

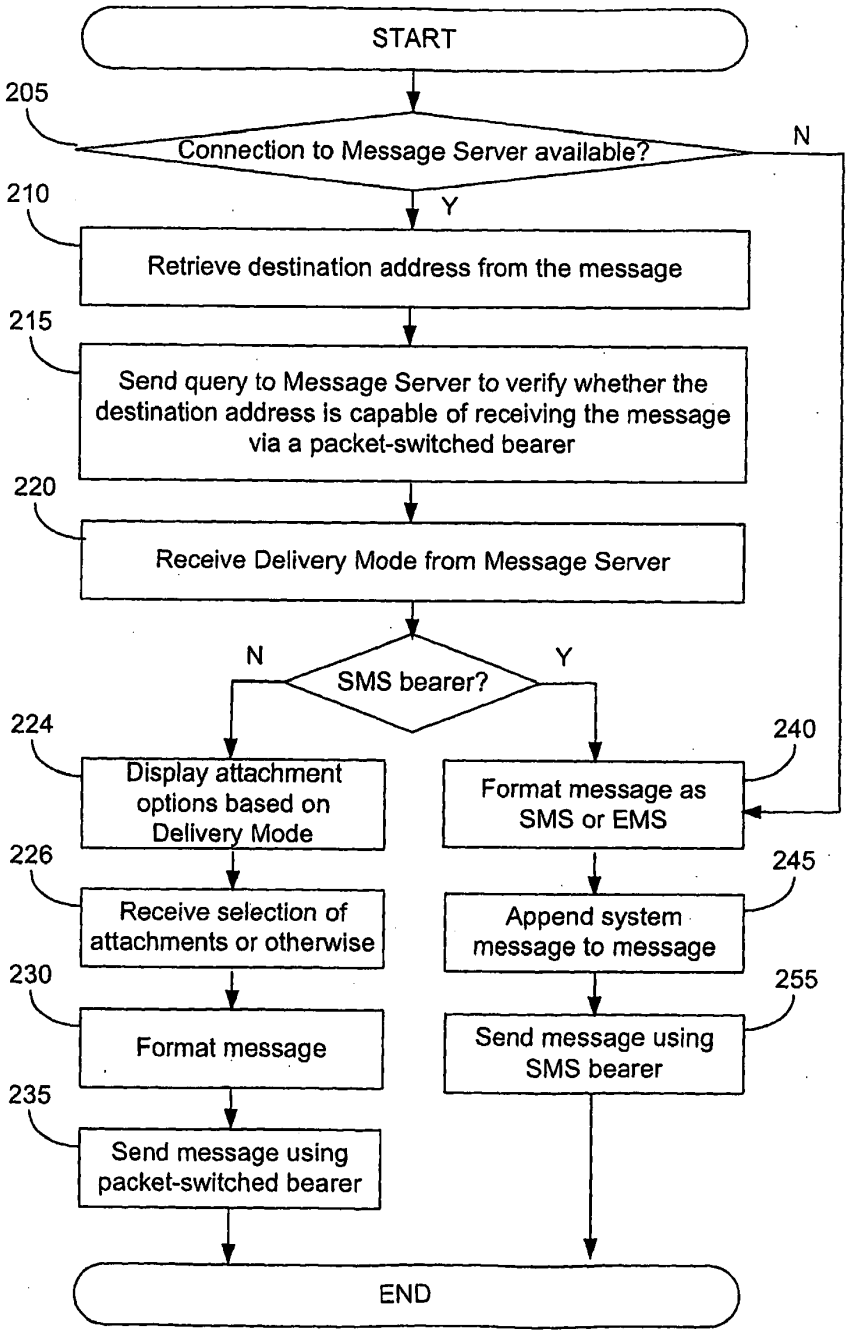

START
205
Connection to Message Server available?
N
Y
210
Retrieve destination address from the message
215
Send query to Message Server to verify whether the destination address is capable of receiving the message via a packet-switched bearer
220
Receive Delivery Mode from Message Server
N
SMS bearer?
Y
224
Display attachment options based on Delivery Mode
226
Receive selection of attachments or otherwise
230
Format message
235
Send message using packet-switched bearer
240
Format message as SMS or EMS
245
Append system message to message
255
Send message using SMS bearer
END

FIG. 3

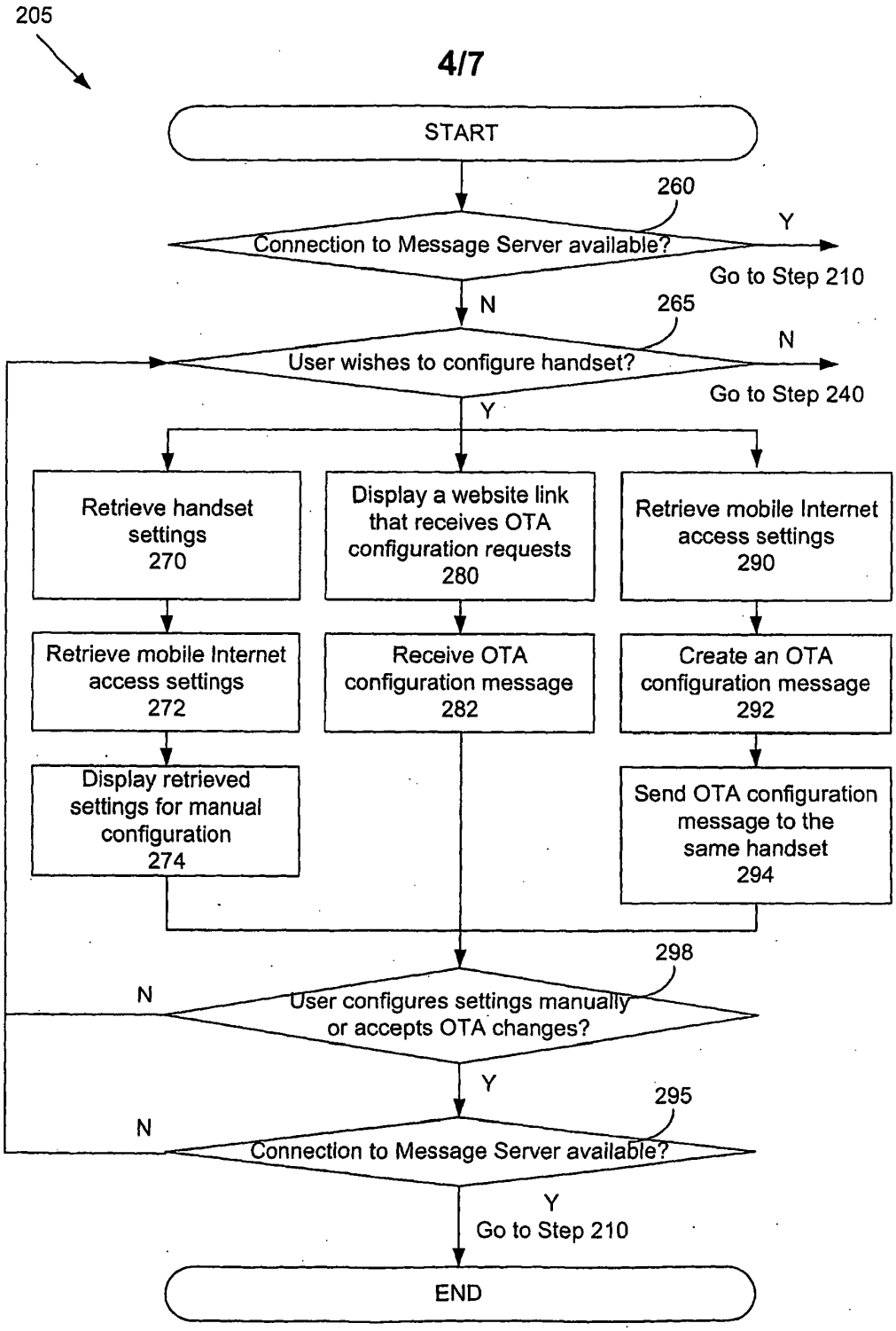

205
START
260
Connection to Message Server available?
Y
Go to Step 210
N
265
User wishes to configure handset?
N
Go to Step 240
Y
Retrieve handset settings 270
Display a website link that receives OTA configuration requests 280
Retrieve mobile Internet access settings 290
Retrieve mobile Internet access settings 272
Receive OTA configuration message 282
Create an OTA configuration message 292
Display retrieved settings for manual configuration 274
Send OTA configuration message to the same handset 294
298
N
User configures settings manually or accepts OTA changes?
Y
295
N
Connection to Message Server available?
Y
Go to Step 210
END

FIG. 4

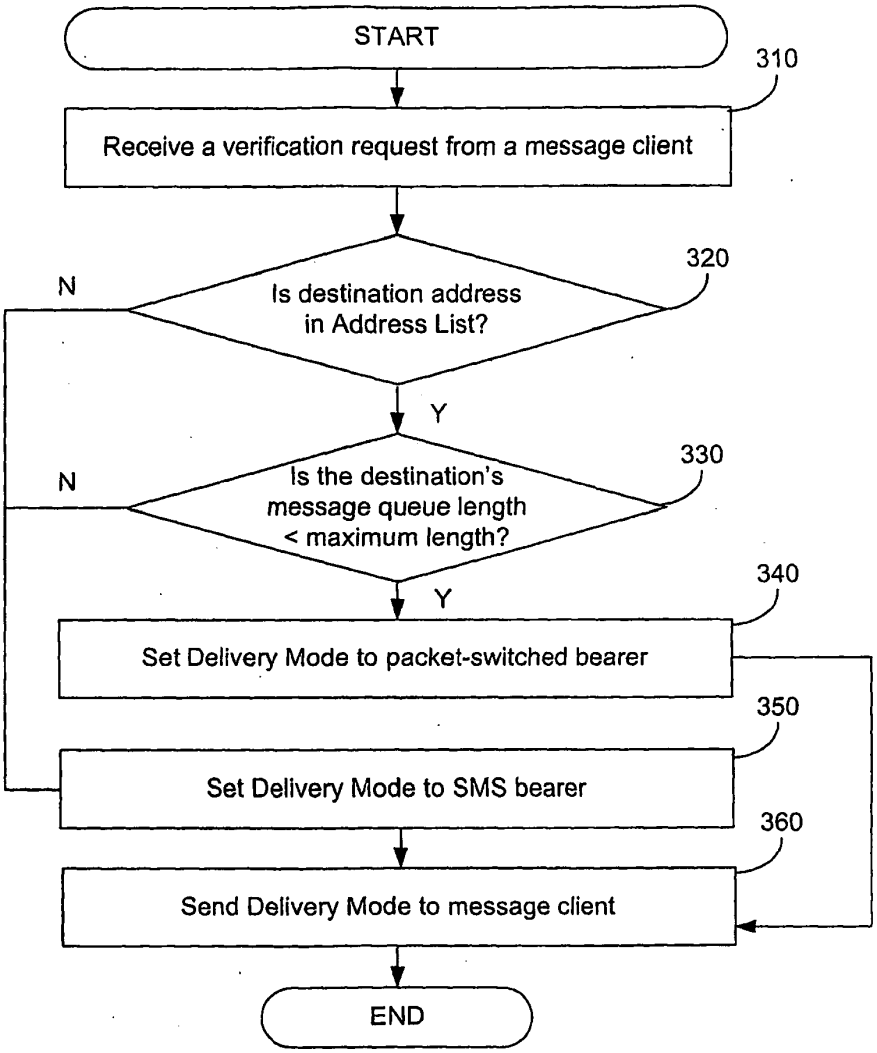
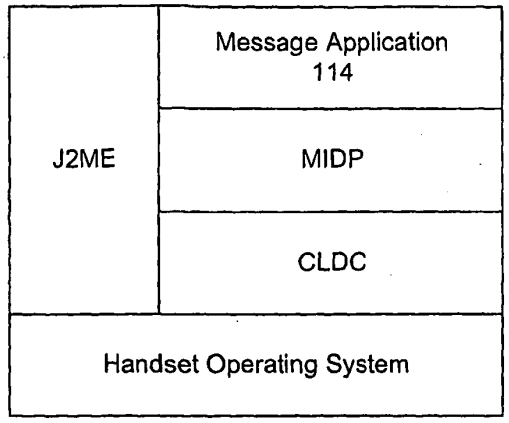

START
310
Receive a verification request from a message client
320
Is destination address in Address List?
N
Y
330
Is the destination's message queue length < maximum length?
N
Y
340
Set Delivery Mode to packet-switched bearer
350
Set Delivery Mode to SMS bearer
360
Send Delivery Mode to message client
END

FIG. 5

(a)



(b)

```
<message>
  <to>
    +1 555 1234
  </to>
  <body>
    Hi there!
  </body>
  <attachment>
    <photo>
      0xf6,0x34,0xa7...
    </photo>
    <voicemail>
      0xf6,0x34,0xa7...
    </voicemail>
  </attachment>
</message>
```

(c)

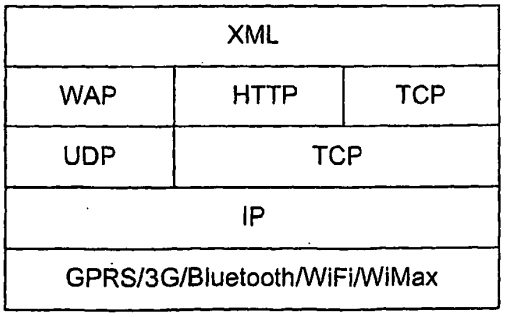


FIG. 6

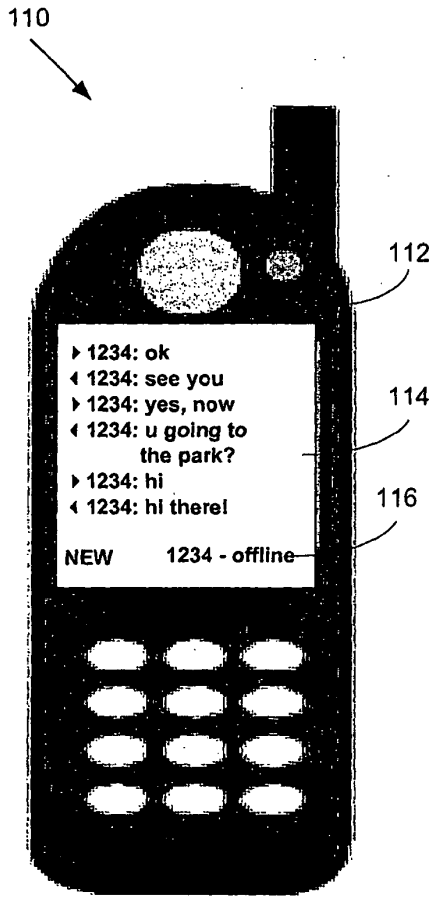

110
112
1234: ok
1234: see you
1234: yes, now
1234: u going to the park?
1234: hi
1234: hi there!
114
116
NEW
1234 - offline

FIG. 7

Doc Code: Oath
Document Description: Oath or declaration filed

PTO/SB/01 (04-09)
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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required)

Attorney Docket Number	011997/000001
First Named Inventor	Graham MERRETT
COMPLETE IF KNOWN	
Application Number	12/452,883
Filing Date	January 26, 2010
Art Unit	
Examiner Name	

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention titled:

MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

(Title of the Invention)

the application of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 01/26/2010 as United States Application Number or PCT International Application Number _____ and was amended on (MM/DD/YYYY) _____ (if applicable).

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

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

Authorization To Permit Access To Application by Participating Offices

☐ If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified patent application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified patent application is filed to have access to the above-identified patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the above-identified patent application with respect to: 1) the above-identified patent application-as-filed; 2) any foreign application to which the above-identified patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified patent application; and 3) any U.S. application-as-filed from which benefit is sought in the above-identified patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

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

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DECLARATION — Utility or Design Patent Application

Claim of Foreign Priority Benefits

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

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
2007903979	Australia	07/24/2007	☐	☐	☐
2007906230	Australia	11/13/2007	☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application number(s) are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ The address associated with Customer Number:	23380	OR ☐ Correspondence address below

Name		
Address		
City	State	Zip
Country	Telephone	Email

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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. Petitioner/applicant is advised that documents which form the record of a patent application (such as the PTO/SB/01) are placed into the Privacy Act system of records DEPARTMENT OF COMMERCE, COMMERCE-PAT-7, System name: *Patent Application Files*. Documents not retained in an application file (such as the PTO-2038) are placed into the Privacy Act system of COMMERCE/PAT-TM-10, System name: *Deposit Accounts and Electronic Funds Transfer Profiles*.

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

NAME OF SOLE OR FIRST INVENTOR:	☐ A petition has been filed for this unsigned inventor
Given Name (first and middle [if any]) Graham	Family Name or Surname MERRETT
Inventor's Signature	Date 30 JUNE 2010

Residence: City	State	Country	Citizenship
Queensland		Australia	Australian

Mailing Address			
55 Lewis Street, Woolloongabba			
City	State	Zip	Country
Queensland		4102	Australia

☐ Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto

INFORMATION DISCLOSURE STATEMENT		
	Applicant(s):	Graham Merrett
	Application No.	
	Filed:	Herewith
	For:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
	Group Art Unit:	Not Yet Assigned
	Examiner:	Not Yet Assigned
	Attorney Docket No.:	383651-991101

Commissioner of Patents and Trademarks
(Via Electronic Filing)

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

(a)	☒	accompanies a new patent application submitted herewith.
(b)	☐	is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
(c)	☐	after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR
(d)	☐	is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee ($180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
(e)	☐	is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee ($130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

(f)	☐	Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
(g)	☐	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 this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Regarding the concise statements required for any foreign-language references, a copy of an associated foreign Office Action indicating the relevance is provided in English; see MPEP 609.04(a)(III).

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. **07-1896**.

Respectfully submitted,

Date: February 7, 2013

DLA PIPER LLP (US)

By: /Timothy W. Lohse/
Timothy W. Lohse
Reg. No. 35,255
Attorneys for Applicant(s)
2000 University Avenue
East Palo Alto, CA 94303-2248
650-833-2055

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February 7, 2013

/Timothy W. Lohse/
Timothy W. Lohse

Sheet 1 of 1

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number 383651-991101	Application Number
	Applicant Graham Merrett	
	Filing Date Herewith	Group Art Unit NYA

U.S. PATENT DOCUMENTS

	6,678,524	01/13/04	Hansson et al.			
	7,085,812	08/01/06	Sherwood			
	7,171,190	01/30/07	Ye et al.			
	7,298,714	11/20/07	Foster			
	7,600,031	10/06/09	Toutonghi			
	7,751,536	07/06/10	Abramson et al.			
	2002/0077131	06/20/02	Mizell et al.			
	2006/0056309	03/16/06	Maaniitty			
	2006/0167849	07/27/06	Marcus et al.			
	2009/0305729	12/10/09	Bennett			
	2010/0131858	05/27/10	Schultz et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	WO 2006/014603	02/09/06					

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

		Hui Lei, et al., "*Context-Aware Unified Communication,*" Mobile Data Management, 2004 Proceedings, 2004 IEEE International Conference, January 19-22, 2004, Berkeley, CA (11 pages).
		EP Application No. 08772669.1, Extended Search Report dated October 13, 2011 (10 pages).
		PCT/AU2008/001043, International Preliminary Report on Patentability dated January 26, 2010 (7 pages).

EXAMINER	DATE CONSIDERED

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau

(43) International Publication Date
9 February 2006 (09.02.2006)

PCT

(10) International Publication Number
WO 2006/014603 A2

(51) International Patent Classification:
H04Q 7/20 (2006.01)

(21) International Application Number:
PCT/US2005/025509

(22) International Filing Date: 15 July 2005 (15.07.2005)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
60/590,229 21 July 2004 (21.07.2004) US
10/939,103 10 September 2004 (10.09.2004) US

(71) Applicant *(for all designated States except US)*: **CINGULAR WIRELESS II, LLC** [US/US]; 16331 NE 72nd Way, P. O. Box 97061, Redmond, WA 98052 (US).

(72) Inventors; and
(75) Inventors/Applicants *(for US only)*: **DAHAN, Andre** [US/US]; 201 East 80th Street, Apt. 31, New York, NY 10021 (US). **BRUDNICKI, David** [US/US]; 13918 283rd Avenue North East, Duvall, WA 98019 (US). **CUNNINGHAM, Ivy** [US/US]; 421 N. 70th Street, Seattle, WA 98103 (US). **PACHE, Stacia Lynn** [US/US]; 5612 223rd Avenue North East, Redmond, WA 98053 (US). **WHITE, Christopher** [US/US]; 16408 North East 98th Court, Redmond, WA 98052 (US).

(74) Agents: **JORGENSON, Eric D.** et al.; Amin & Turocy, LLP, 1900 E. 9th Street, 24th Floor, National City Center, Cleveland, OH 44114 (US).

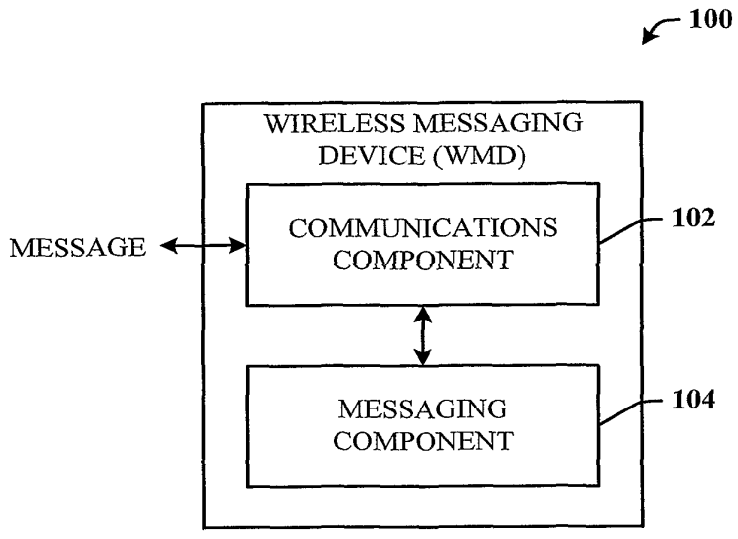
(81) Designated States *(unless otherwise indicated, for every kind of national protection available)*: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States *(unless otherwise indicated, for every kind of regional protection available)*: ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, LV, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:
— *without international search report and to be republished upon receipt of that report*

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: ALWAYS-ON MOBILE INSTANT MESSAGING OF A MESSAGING CENTRIC WIRELESS DEVICE



(57) Abstract: A messaging-centric wireless device that communicates messages in the form of e mail, SMS, and instant messaging. One of the core capabilities of the device is to support always-on mobile instant messaging, including reasonably accurate IM status information. The device/service includes some or all of the following features: IM community aggregation; intelligent IM status; a dedicated network environment (PDP/APN); an always-on connection either through a sustained wireless data connection or through buffered/mediated services that use out-of-band signaling to initiate a PDP context; an IM gateway to aggregate IM and/or e-mail connectivity; self-provisioning; the capability to compose messages without having to indicate dependent aspects of the message such as delivery bearer; a messaging oriented physical design; the capability to add on voice service; and, the capability to add on other data services.

WO 2006/014603 A2

Title: ALWAYS-ON MOBILE INSTANT MESSAGING OF A MESSAGING CENTRIC WIRELESS DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application claims the benefit of the following U.S. Provisional Patent Applications: Serial No. 60/590,229 entitled "ALWAYS-ON MOBILE INSTANT MESSAGING OF A MESSAGING CENTRIC WIRELESS DEVICE" filed on July 21, 2004; Serial No. 60/588,018 entitled "MAINTAINING INSTANT MESSAGE SESSION STATUS IN DYNAMIC OPERATING ENVIRONMENTS" filed on July 11, 2004; Serial No. 60/587,792 entitled "SELECTION OF BEARER MODE ACCORDING TO MESSAGE CHARACTERISTICS" filed on July 11, 2004; Serial No. 60/588,307 entitled "USING EMOTICONS, SUCH AS FOR WIRELESS DEVICES" filed on July 15, 2004; Serial No. 60/588,110 entitled "CUSTOMER SERVICE MESSAGING, SUCH AS ON MOBILE DEVICES" filed on July 15, 2004; Serial No. 60/585,965 entitled "SYSTEM AND METHOD FOR DATA ORGANIZATION AND DISPLAY IN AN INSTANT MESSAGING INTERFACE" filed on July 7, 2004; and, Serial No. 60/590,185 entitled "DEDICATED WIRELESS DEVICE BUSINESS MODEL" filed on July 21, 2004. The entireties of the above-noted applications are incorporated herein by reference.

TECHNICAL FIELD

[0002] This invention is related to wireless messaging, and more specifically, wireless messaging centric devices.

BACKGROUND OF THE INVENTION

[0003] Instant Messaging (IM) is a technology that allows users to send and receive short text messages in real time over IP networks. It also allows the user to signal their online presence to others by simply launching a messaging client and/or logging in to the client. IM has been in general use for some time, beginning with a product known as ICQ™ by ICQ, Inc., a messaging service now offered in a variety of flavors and used for many purposes, both commercial and personal, that take

advantage of the real time messaging capability and presence management features of IM.

[0004] Though instant messaging is perceived by users to be a Peer-to-Peer (P2P) application, directly connecting the user with chat "buddies", IM actually depends upon a client-server architecture to facilitate those apparently direct interactions. When logging on, the user IM software client tells the IM server who the user is and where the user is *via* a screen name and current IP address. The server then updates its directory information to indicate that the user is online and available. The server shows the user which buddies are online, and it lets people who have added the user to their buddy lists, see that the user is online. Unlike e-mail and other asynchronous collaboration tools, IM works in real time, giving the user a channel to buddies that hides their contact details, as well as, their physical location and mode of connection (*e.g.*, laptop, Palm device, mobile phone, and so on).

[0005] It is natural for mobile users to desire access to mail and communicate in a data-centric manner while mobile. Messaging is used for quick person-to-person social coordination, often involves time-sensitive information, and utilizes presence indicators to help users keep track of their friends' status. Additionally, there is a strong demand for mobile messaging services. Nearly half of all IM users indicate that the option to use IM while mobile is desirable. Moreover, mobile e-mail is one of the top applications on mMode™ today. mMode, by AT&T Wireless Services, Inc., brings together e-mail, Internet-based content, games, and more, all in one place on the wireless telephone.

[0006] However, usage and penetration for the mobile population at large, remains low. Some of the main deterrents to the adoption of mobile messaging services are device limitations (such as small screens, text input from numeric keypads, messaging task management), lack of acceptable pricing plans and device pricing, failure of messaging applications to maintain consistency with the desktop experience, and cumbersome purchase experience.

[0007] Currently, customers must think about messaging/data plans as an addition to voice. This creates an additional level of complexity for the customer in terms of pricing and marketing messages. If customers succeed in purchasing a messaging plan, actually using the e-mail/IM applications is a less than ideal customer experience.

[0008] GPRS (General Packet Radio Service) is an industry-standard technology for enhancing GSM (Global System for Mobile Communications) digital networks with "always-on" high-speed connections to a new generation of Internet-capable mobile devices. The GPRS technology is a component of a network that complements its circuit-switched voice network with a capability for efficiently carrying packets of data in accordance with Internet Protocols (IP). GPRS enables access to high speed wireless data services and paves the way to enhanced applications accessed over third generation (3G) UMTS (Universal Mobile Telecommunications Services) wireless systems.

[0009] Given that most wireless devices are voice-centric with the addition of some messaging capabilities, there is an unmet need in the market today for a consumer wireless messaging-centric device that focuses on e-mail, instant messaging, text messaging, and other messaging technologies in an always-on environment.

SUMMARY OF THE INVENTION

[0010] The following presents a simplified summary of the invention in order to provide a basic understanding of some aspects of the invention. This summary is not an extensive overview of the invention. It is not intended to identify key/critical elements of the invention or to delineate the scope of the invention. Its sole purpose is to present some concepts of the invention in a simplified form as a prelude to the more detailed description that is presented later.

[0011] The subject invention creates a new category of mobile device that focuses on the extension of the desktop messaging experience into the mobile environment.

[0012] The invention disclosed and claimed herein, in one aspect thereof, comprises a messaging-centric wireless device that highlights at least e-mail, SMS (Short Message Service), and instant messaging. One of the core capabilities of the device is to support always-on mobile instant messaging, such that the online presence of a user of the device can be immediately known, as provided by reasonably accurate IM status information. The device/service includes some or all of the following features: the capability to send and receive SMS messages; send and receive e-mail messages from multiple e-mail accounts; send and receive instant messaging messages from multiple e-mail accounts; send and receive instant messaging messages from multiple IM providers; IM community aggregation;

intelligent IM status; a dedicated network environment (PDP-Packet Data Protocol)/APN–Access Point Name); an always-on connection either through a sustained wireless data connection or through buffered/mediated services that use out-of-band signaling to initiate a PDP context; an IM gateway to aggregate IM and/or e-mail connectivity; self-provisioning; the capability to compose messages without having to indicate dependent aspects of the message such as delivery bearer; a messaging oriented physical design; the capability to add on voice service; and, the capability to add on other data services.

[0013] In another aspect thereof, the wireless device can be activated out-of-the box *via* an activation wizard with no contract.

[0014] In yet another aspect of the invention, the device provides the capability to the user to personalize or customize their device according to the ringer, Alerticons, buddy tones, and IM emoticons, for example.

[0015] In still another aspect thereof, the user can move quickly between data applications (*e.g.*, chats and e-mail) *via* a graphical user interface.

[0016] To the accomplishment of the foregoing and related ends, certain illustrative aspects of the invention are described herein in connection with the following description and the annexed drawings. These aspects are indicative, however, of but a few of the various ways in which the principles of the invention may be employed and the invention is intended to include all such aspects and their equivalents. Other advantages and novel features of the invention may become apparent from the following detailed description of the invention when considered in conjunction with the drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0017] FIG. 1 illustrates a wireless messaging device (WMD) that facilitates always-on message processing in accordance with the invention.

[0018] FIG. 2 illustrates a general diagram of the types of messages that can be communicated with the WMD of the invention.

[0019] FIG. 3 illustrates some of the capabilities provided in the WMD of the invention.

[0020] FIG. 4 illustrates a flow chart of one methodology for providing a message-centric system in accordance with the invention.

[0021] FIG. 5 illustrates a methodology of provisioning and activation of the WMD in accordance with the invention.

[0022] FIG. 6 illustrates a methodology for IM and e-mail account setup according to one aspect of the invention.

[0023] FIG. 7 illustrates a methodology of providing a homepage interface for the WMD of the invention.

[0024] FIG. 8 illustrates a methodology associated with an SMS application to provide SMS functionality in accordance with the invention.

[0025] FIG. 9 illustrates a methodology associated with an e-mail application to provide e-mail functionality in accordance with the invention.

[0026] FIG. 10 illustrates a methodology associated with an IM application to provide instant messaging functionality in accordance with the invention.

[0027] FIG. 11 illustrates a methodology associated with a contacts application to provide contact functionality in accordance with the invention.

[0028] FIG. 12 illustrates a front view of one implementation of a WMD in accordance with the invention.

[0029] FIG. 13 illustrates an isometric of the WMD of FIG. 12.

[0030] FIG. 14 illustrates one implementation of a keyboard that can be employed with the WMD of the invention.

[0031] FIG. 15 illustrates a screenshot of a Home screen in accordance with the user interface of the invention.

[0032] FIG. 16 illustrates a screenshot of an IM Buddies screen in accordance with the user interface of the invention.

[0033] FIG. 17 illustrates a screenshot of a Compose screen in accordance with the user interface of the invention.

[0034] FIG. 18 illustrates a screenshot of a Mailbox screen in accordance with the user interface of the invention.

[0035] FIG. 19 illustrates a screenshot of an IM Chat screen in accordance with the user interface of the invention.

[0036] FIG. 20A shows the tab information associated with the AIM portal.

[0037] FIG. 20B shows tab information associated with the Yahoo portal.

[0038] FIG. 20C illustrates the tab information associated with the MSN portal.

[0039] FIG. 21A illustrates community-specific presence icons for the AIM portal related to conversation, offline, and online status.

[0040] FIG. 21B illustrates community-specific presence icons for the MSN portal, related to Online, Offline, Busy, Be Right Back, Away, On The Phone, Out To Lunch, Blocked, and Mobile.

[0041] FIG. 21C illustrates community-specific presence icons for the Yahoo portal related to Available, Away, Idle, Mobile, and Offline.

[0042] FIG. 22A shows the chat icon for an AIM portal.

[0043] FIG. 22B shows the chat icon for the Yahoo portal.

[0044] FIG. 22C shows the chat icon for the MSN portal.

[0045] FIG. 23A shows a screenshot of the option menu for the AIM portal.

[0046] FIG. 23B shows a screenshot of the option menu for the Yahoo portal.

[0047] FIG. 23C shows a screenshot of the option menu for the MSN portal.

[0048] FIG. 23D shows the New Buddy popup for the AIM portal.

[0049] FIG. 23E shows the New Buddy popup for the Yahoo portal.

[0050] FIG. 23F shows the New Buddy popup for the MSN portal.

[0051] FIG. 23G shows the New Buddy error popup for the AIM portal.

[0052] FIG. 23H shows the New Buddy error popup for the Yahoo portal.

[0053] FIG. 23I shows the New Buddy error popup for the MSN portal.

[0054] FIG. 23J illustrates a confirmation popup for the user to confirm and invoke the Delete function.

[0055] FIG. 23K shows the MSN profile card for a "Remove Link" option.

[0056] FIG. 23L shows the MSN profile card for a "Link to a Contact" option.

[0057] FIG. 23M illustrates a popup presented when a "Link to a Contact" option is selected.

[0058] FIG. 23N illustrates a window presented that allows a user to select a contact when selecting the Link-to-Contact button in the window of FIG. 23M.

[0059] FIG. 23O illustrates a screenshot of a message presented when the user is not logged in.

[0060] FIG. 23P illustrates a screenshot of a Sign-On popup window for an AIM user that opens when presses Enter in the sign-in popup sequence.

[0061] FIG. 23Q illustrates a screenshot of a Sign-in popup window for an MSN user that opens when presses Enter in the sign-in popup sequence.

[0062] FIG. 23R illustrates a screenshot of a Sign-In popup window for a Yahoo! user that opens when presses Enter in the sign-in popup sequence.

[0063] FIG. 23S illustrates a screenshot of an AIM window that open when no buddies are on the user buddy list.

[0064] FIG. 23T illustrates a screenshot of a New Buddy popup window that opens to add an AIM buddy.

[0065] FIG. 24 illustrates a table of some keyboard key controls and functions of the present invention.

[0066] FIG. 25A illustrates a Live Support screen in accordance with the help tool of the present invention.

[0067] FIG. 25B illustrates a Help index list screen.

[0068] FIG. 25C illustrates a Help Sub-Topics screen.

[0069] FIG. 25D illustrates a Help Topic Detail popup screen.

[0070] FIG. 25E illustrates a Technical Support Information screen.

[0071] FIG. 26 illustrates a table of keyboard controls and functions associated with interaction with the Help tool of the invention.

[0072] FIG. 27 illustrates an Alerticon palette that can be accessed to associate icons with contact profile, in accordance with the invention.

[0073] FIG. 28 illustrates a table of keyboard key controls and functions provided associated with interaction of the Alerticon palette of the invention.

[0074] FIG. 29 illustrates a front open view of another implementation of a WMD in accordance with the invention.

[0075] FIG. 30 illustrates the device where the user interface shows one version of a Home page in accordance with the invention.

[0076] FIG. 31 illustrates one version of a live support Help screen in accordance with the invention.

[0077] FIG. 32 illustrates a generally top view isometric of the WMD of FIG. 29 in a closed position.

[0078] FIG. 33 illustrates a front view of the device in a closed position.

[0079] FIG. 34 illustrates an activation wizard screen for initiating activation in accordance with the invention.

[0080] FIG. 35 illustrates one version of an account setup wizard screen in accordance with the invention.

[0081] FIG. 36 illustrates one version of a mail inbox interface screen in accordance with the invention.

[0082] FIG. 37 illustrates one version of an instant messaging status screen for an MSN portal in accordance with the invention.

[0083] FIG. 38 illustrates one version of a compose screen in accordance with the invention.

[0084] FIG. 39 illustrates one version of a fetch popup screen in accordance with the invention.

[0085] FIG. 40 illustrates a block diagram of a WMD in accordance with the invention.

[0086] FIG. 41 illustrates a block diagram of a wireless messaging system (WMS) that uses a mobile messaging gateway server in accordance with the invention.

DETAILED DESCRIPTION OF THE INVENTION

[0087] The subject invention is now described with reference to the drawings, wherein like reference numerals are used to refer to like elements throughout. In the following description, for purposes of explanation, numerous specific details are set forth in order to provide a thorough understanding of the invention. It may be evident to one skilled in the relevant art, however, that the invention may be practiced without these specific details. In some instances, well-known structures and functions have not been shown or described in detail to avoid unnecessarily obscuring the description of various embodiments of the invention. In other instances, well-known structures and devices are shown in block diagram form in order to facilitate describing the invention.

[0088] As used in this application, the terms "component" and "system" are intended to refer to a computer-related entity, either hardware, a combination of hardware and software, software, or software in execution. For example, a component may be, but is not limited to being, a process running on a processor, a processor, an object, an executable, a thread of execution, a program, and/or a computer. By way of illustration, both an application running in a mobile computing device and the mobile computing device can be a component. One or more components may reside within a process and/or thread of execution and a component may be localized on one computer and/or distributed between two or more computers.

[0089] The terms "screen," "screenshot," "window," "web page," and "page" are generally used interchangeably herein. The pages presented by a computing device or mobile terminal device can be implemented using, for example, WML (Wireless

Markup Language), HTML (HyperText Markup Language), XHTML (Extensible HTML), and/or XML (Extensible Markup Language). The page or screens are stored and/or transmitted as display descriptions, as graphical user interfaces, or by other methods of depicting information on a display. A display description refers to any methodology of presenting information in any of the above-mentioned formats, or formats that are known to one skilled in the relevant art. This includes, e-mail or character-based formats, algorithm-based formats (*e.g.*, vector generated), and matrix or bit-mapped formats.

MESSAGING-CENTRIC WIRELESS DEVICE

[0090] Referring now to FIG. 1, there is illustrated a wireless messaging device (WMD) 100 that facilitates always-on message processing in accordance with the invention. The WMD 100 includes a communications component 102 that facilitates wireless communications with an always-on messaging communications system. In a receive mode, the communications component 102 receives a message (MESSAGE) and forwards the message to a messaging component 104 for processing and presentation to a WMD user. In this illustration, the messaging component 104 includes all the software and hardware needed to process and present the message to the user. This can include a man-machine interface (MMI) *via* which the user can interact to perceive the received message and/or to input further messages for transmission from the WMD 100 back into the always-on communication system. The modes of perception by the user can be visual by presentation of the message content on a display, audio by audio output signals that represent the content of the message, and touch by Braille signals presented on a Braille display, or any combination thereof. Similarly, the mode of message input can be *via* keyboard (or touch screen) that facilitates visual presentation of the message content on the display, audio input by voicing words that are interpreted and converted into message content, and touch, such that a keyboard, for example, includes Braille inputs for a user who cannot perceive information visually and/or audibly, or any combination thereof.

[0091] Referring now to FIG. 2, there is illustrated a general diagram of the types of messages that can be communicated with the WMD 100 of the invention. The WMD 100 can communicate at least Instant Messaging (IM) messages, e-mail messages and SMS (Short Message Service) messages. SMS is a wireless service available on digital mobile networks that enables the transmission of text messages

between mobile phones and other systems such as electronic mail, paging and voice mail. Up to 160 characters can be sent and received through the network operator's message system to the mobile phone. SMS is an alternative to paging services, and can be used to provide reminder services, stock and currency quotes, airline schedules, and account information. SMS is a store and forward service where short messages are not sent directly from sender to recipient, but rather *via* an SMS Center.

[0092] Each mobile telephone network that supports SMS has one or more messaging centers to handle and manage the short messages. SMS features confirmation of message delivery, which means that unlike paging, users do not simply send a short message and hope that it gets delivered. Instead the sender of the short message can receive a return message back notifying them whether the short message has been delivered or not. Short messages can be sent and received simultaneously with GSM (Global System for Mobile Communications) voice, data and fax calls. This is possible because whereas voice, data and fax calls take over a dedicated radio channel for the duration of the call, short messages travel over and above the radio channel using the out-of band signaling path. As such, users of SMS rarely, if ever, get a busy or engaged signal as they would get during peak network usage times.

[0093] In another implementation, it is within contemplation that messaging communicated by the WMD 100 can include MMS (Multimedia Messaging Service) messages that include pictures, video clips, cartoons and other graphic information.

[0094] Referring now to FIG. 3, there is illustrated some of the capabilities 300 provided in the WMD 100 of the invention. The invention includes the messaging-centric wireless device 100 that communicates always-on messaging for at least e-mail, SMS messages, and IM messages. One of the core capabilities of the device is to support always-on mobile IM, including IM status information. The device/service can include some or all of the following additional features. A message processing component 302 that facilitates the capability to send and receive SMS messages via SMS or non-SMS provider networks, send and receive e-mail messages from multiple e-mail or non-e-mail provider accounts, send and receive IM messages from multiple e-mail accounts and, send and receive IM messages from multiple IM providers. An IM community aggregation component 304 facilitates interfacing with one or more major messaging entities in the marketplace (*e.g.*,

AIM™ by America Online, Inc., Y! ™ by Yahoo! Inc., and MSN™ by Microsoft Corporation).

[0095] Although the following description refers to three common providers that provide services related to message communications, be it e-mail, an IM message, or SMS message, for example, this should not be construed in any way as limiting the present invention. It is within contemplation of the subject invention that any number of different providers can be accommodated by employing one or more of the disclosed novel aspects. By way of illustration but not by limitation, the following description uses different terms to distinguish different providers, *e.g.*, the term Buddy is associated with AIM, IM Contact to be associated with MSN, and Friend to be associated with Yahoo! An intelligent IM status component 306 provides to a user of the WMD 100 status information of other remote users who are online. This can include other users of the same community or of other communities. A self-provisioning component 308 facilitates the automatic provisioning of the WMD 100 when a user initially purchases the WMD 100 and subsequently, the provisioning (or de-provisioning) of additional messaging providers thereafter, if all were not provisioned initially.

[0096] A message composition component 310 facilitates the capability to compose messages without having to indicate dependent aspects of the message such as delivery bearer, which is the mode or communications path employed to communicate the messaging information (*e.g.*, e-mail, SMS, MMS, and so on). If the message means is e-mail, as determined by entry of an e-mail address, the bearer is selected as an e-mail network that utilizes, for example, SMTP (Simple Mail Transfer Protocol). If the message service is selected as a telephone number, the bearer can be SMS, MMS, EMS (Enhanced Message Service), or similar technologies. The architecture of the subject invention facilitates the selection of multiple bearers depending on the recipient clients employed to receive the message(s). For example, if the source client is sending a message to two recipients, one of which is an e-mail client and the other a messaging service client, the message being sent will be processed into the bearer for e-mail and the bearer for the appropriate messaging service.

[0097] An IM gateway component 312 (internal to the WMD 100) facilitates the aggregation of different instant messaging and/or e-mail technologies into the WMD 100 the single device 100 by allowing access to different messaging technology

providers. A connection component 314 facilitates the connection to the always-on network, and/or a dedicated network environment PDP (Packet Data Protocol)/APN (Access Point Name). Additionally, an always-on connection can be maintained either through a sustained wireless data connection or through buffered/mediated services that use out-of-band signaling to initiate a PDP context.

[0098] A voice component 316 facilitates the capability to include voice signals as the message or in combination with the message. An add-on component 318 facilitates the capability to include other or future data services or technologies as they evolve by providing an interface component or module to which these technologies can be manufactured for implementation into the WMD 100. A support component 320 facilitates interaction with support information to resolve one or more problems that can be encountered during any operation of the WMD 100, to include, but not limited to provisioning, account setup, billing, device hardware and software problems, and so on. The support component 320 facilitates interaction with live support personnel and/or stored support database information, whether local to the WMD 100 or remote therefrom. Updates to local support information can be downloaded OTA when updates thereto become available. The user can be made aware of any software updates to the WMD 100 automatically by notification or by manually accessing a website that posts such software updates. Software updates include not only support information, but also device drivers, firmware updates, user interface updates, and application updates provided to more efficiently operate and interact with the WMD 100.

[0099] Referring now to FIG. 4, there is illustrated a flow chart of one methodology for providing a message-centric system in accordance with the invention. While, for purposes of simplicity of explanation, the one or more methodologies shown herein, *e.g.*, in the form of a flow chart, are shown and described as a series of acts, it is to be understood and appreciated that the invention is not limited by the order of acts, as some acts may, in accordance with the invention, occur in a different order and/or concurrently with other acts from that shown and described herein. For example, those skilled in the art will understand and appreciate that a methodology could alternatively be represented as a series of interrelated states or events, such as in a state diagram. Moreover, not all illustrated acts may be required to implement a methodology in accordance with the subject invention.

[0100] At 400, an always-on network is provided that facilitates wireless communications to the WMD. At 402, the WMD connects to the network to communicate messages, *e.g.*, IM messages, SMS messages, and/or e-mail messages.

[0101] Referring now to FIG. 5, there is illustrated a methodology of provisioning and activation of the WMD in accordance with the invention. The user can activate their data service from the WMD without having to use a desktop computer or place a call into a service representative. The user can, however, choose to setup the WMD *via* a telephone or desktop. Following successful service activation, the user is then able to setup IM and e-mail accounts from the device without going to their computer.

[0102] In support thereof, at 500, the user receives the WMD for provisioning. At 502, the user can begin provisioning the WMD by over-the-air (OTA) activation and/or a wired/wireless PC connection. At 504, the user is directed to an Activation Wizard (AW) upon powering on an unprovisioned device, and continues provisioning *via* the AW using form fields. At 506, the AW prompts the user for user information. Initially, the AW directs the user to select a data only rate plan, as indicated at 508. Once activation is complete, the user/customer runs a Messaging Wizard to set up the number of IM communities desired for connectivity. If the user wants access to add/delete/change their premium portal(s) the action originates from the Messaging Wizard.

[0103] At 510, the AW provides the user identification and billing details to an appropriate service for validation. Once activation is complete, the user can be sent an e-mail with a URL that directs the customer to a branded web page, where a customer will be prompted to create an account, as indicated at 512. The account username is the customer's primary e-mail address. The account password can be the Customer SSAN (Social Security Account Number) or PIN (Personal Identification Number), depending on what was used to create the account. At 514, the user receives a notification that their service has been activated or denied. When activated, credentials are downloaded into the WMD for account operability, as indicated at 514.

[0104] Upon first device activation failure, the user will be sent an appropriate error message and given the opportunity to correct the point of failure or contact a customer care support facility. Upon second or subsequent device activation failures the user can also be prompted to contact the customer care support facility.

[0105] The AW successfully completes prior to invocation of the Messaging Wizard. A welcome message can include a new MSISDN (Mobile Station ISDN

number). Over-the-air provisioning of the MSISDN number is sent to the WMD and stored in phone settings, *e.g.*, under a setting called "My Number". Following the acceptance of the MSISDN by the WMD, a new APN is sent along with any other lower level device settings. All settings that the user needs to access are saved to a Settings Application that is described below. The user can pay with a credit card. The AW will collect the user's acceptance of the Terms & Conditions provided in the purchased item package. If the user is an existing 2G or 2.5G customer, they can request the continued use of a current phone number on the WMD. If the user is an existing customer, a line of service can be added to their existing 2.5G postpaid account. Billing for data transport begins upon successful messaging account configuration.

[0106] At 516, replacement SIMs can be processed or pre-provisioned, prior to receipt by end customer. Replacement WMDs can be shipped preconfigured with existing account information following contacting of the customer care facility. The user remains in the AW until service activation is complete or have been denied service and referred to Customer Care for resolution. At this point activation ends, as indicated at 518. At 520, the user can then process account messages.

[0107] Referring now to FIG. 6, there is illustrated a methodology for IM and e-mail account setup according to one aspect of the invention. IM and e-mail account setup is driven by the Messaging Wizard. At 600, the Messaging Wizard prompts the user to set up an included premium portal account from a set of subscribed portal partners. The end user can use the Messaging Wizard to collect and cache the user's IM and/or E-mail username/s and password/s for each account being configured for use. At 602, the IM and e-mail usernames and passwords are security cached for automatic use. At 604, the user can choose whether to used cache credentials or force manual entry for each use if they wish not to cache their credentials on the WMD.

[0108] After completion of the Messaging Wizard, each properly configured premium portal messaging account attempts to be authenticated with the associated portal provider, as indicated at 606. At 608, each configured account user's buddy list is visible *via* the device client subject to premium portal limitations. At 610, the user is provided the option to accept default settings or select an option from a limited set of key criteria. Default settings include the status given to user when device is closed, status given to user when mobile, and deletion of chats after end of chat session, for example. This list is not exhaustive. Advanced settings can be accessed at a later

time from the Settings Application under Homepage Applications, which is described below. Upon completion of first portal account setup the Messaging Wizard offers the user the ability to set up additional accounts, as indicated at 612.

[0109] After completion of premium portal setups, the Messaging Wizard offers the user the ability to set up access to ISP/POP3 accounts. The Messaging Wizard offers the user the ability to select a POP3 e-mail provider from a drop down menu list. This list includes a number of ISP e-mail providers plus an 'Other' option to allow manual server addressing. Upon completion of setting up the premium portals and ISP's, the Messaging Wizard provides the customer with a summary of all selections. The Messaging Wizard can automatically configure the server side addressing.

[0110] The Messaging Wizard will request the user's username and password for each configured messaging account, which can be cached on the device in a secure location. Alternatively, the information need not be secured. This will allow for the background synchronization (or "sync") to occur. As indicated previously, the user can opt not to cache credentials on the device. At 614, a default sync schedule can be applied upon each messaging account creation. A set of advanced setup features can be accessed from a Settings Application, which is described below. The Messaging Wizard offers the user the capability to add additional POP3 e-mail accounts, up to a predetermined number, *e.g.*, five separate e-mail accounts.

[0111] Referring now to FIG. 7, there is illustrated a methodology of providing a homepage interface for the WMD of the invention. At 700, the homepage interface is facilitated by a homepage application that includes the following applications represented further by unique icons and tiles: Status, Help, Settings, Mailbox, IM, Compose, Contacts and Help Buddy. At 702, the Status application provides a user with updated device state information for both e-mail and IM services, and allows the user to change the display name. The user can acquire information on e-mail accounts, and access this information *via* a tabbed and options menu format. This information can include account specific information and functions such as initiating a send/receive (Sync) request *via* the Options menu, view account details (*e.g.*, last successful Sync, and Sync schedule), add New account, remove existing account, access the to Settings application, status text for account actions, date of last Sync, success, connecting, sending and deleting messages, retrieving new messages,

notifications for no network coverage and no e-mail server response, authentication on e-mail server failed, and disconnecting.

[0112] The user is provided the capability to acquire/manage information specific to their IM Community accounts. Access to this information is provided in a tabbed and options menu format, and includes IM Status TAB. Here users are provided a general status view of all provisioned IM accounts. In addition to the status of the provisioned IM accounts the status table includes global presence and a presence status value for when the device is closed. With global presence, the user has the option to change the status of all IM Communities. Global presence status options reflect only those recognized by all IM Communities. The default global presence is the device is closed. When the unit is in the flipped closed state, the Status globally sets all IM Communities to the selected "Status When Closed" setting.

[0113] With respect to IM Community specific icons, all presence states and strings displayed/managed *via* the Status application confirm the guidelines provided by the IM Communities. The Options menu includes a "login/logout" option. Upon selection, the user is prompted for account credentials. Invalid account details returns an error message and requests the user to reenter account information. IM Community branding/icons can be shown during login. The Options menu for each IM Community in the Status Application includes change status, sign-in/sign-out, activate new community, and access to the Settings application.

[0114] At 704, the Help Buddy application provides the user with access to the following Chat Support services: live support with a care representatives *via* IM-based chat interface; support during standard Tech Forum hours; attempts to access Help Buddy services off hours generates a message indicating chat support is currently closed but available at (open hours); the IM application providing access to Help Buddy will be independent of existing IM accounts. The user MSISDN is made available for support services. No login information is necessary. Conversation threads are displayed above the text input area of the application. Chat history is provided with the Help Buddy. Chat history can be e-mailed to the user by the support service personnel using.

[0115] Contextual help is presented in sub-folder format, and includes the following: troubleshooting, connection, setup, storage/memory, and error notification. Technical Support contact information can include a web address for online help and the phone number for support services.

[0116] At 706, the Settings application enables the user to manage several application/device functions, which include but are not limited to date/time (format), alarm settings, system settings, memory, battery, and storage for the available contacts. Sound settings include volume, mute, vibrate, and Alerticon sounds. Device settings can include font size, backlight, contrast, banner alert settings, and device reset. E-mail settings can include Sync schedule parameters (*e.g.*, 15, 30, 45, 60, 24 minutes, 24 hours), account name, add/delete account, login credentials, e-mail server settings, and auto-login. IM Settings can include community settings, auto-login, login credentials, and presence settings.

[0117] At 708, an e-mail application is provided, and is described in more detail below. At 710, an IM application is provided and is described in more detail below. At 712, a Compose application is provided that allows a user the capability to create new e-mail and SMS messages. The e-mail and SMS application are described in more detail below. At 714, a Contacts application is provided that enables a user to manage address book/contacts. The Contacts application is described in more detail below.

[0118] Referring now to FIG. 8, there is illustrated a methodology associated with an SMS application to provide SMS functionality in accordance with the invention. The SMS application provides support for long SMS messages. At 802, the user activates the WMD for SMS messaging. At 804, the user receives an audible warning if the SMS message exceeds a character limit of 160 characters. The SMS Community gateway automatically truncates SMS messages at 160 characters and provides multipart messaging, as indicated at 806. A counter shows the total number of characters used during message compose, as well as the number of concatenated messages.

[0119] At 808, incoming SMS messages are tagged for differentiation from other message types, *e.g.*, e-mail. SMS storage capacity is pooled with e-mail storage capacity, which is limited to a predetermined number of pooled messages (*e.g.*, 500 messages), after which FIFO (First In-First Out) rules apply. The user has the option to save a new SMS number to Contacts when sending/receiving to/from a new person. An SMS message is represented by a different icon than that of an e-mail. At 810, the user responds to the received SMS message with another SMS message, although this is not required. For example, the user can respond to the SMS message *via* an e-mail. At 812, the WMD includes the capability to allow the user to send the SMS message

separately from an e-mail message or substantially simultaneously therewith. Additionally, at 814, a personal signature can be automatically applied when sending the SMS message *via* the SMS transport.

[0120] Referring now to FIG. 9, there is illustrated a methodology associated with an e-mail application that provides e-mail functionality in accordance with the invention. At 900, the application facilitates access to one or multiple e-mail accounts and aggregates e-mail messages into a common inbox. As indicated previously, the e-mail application supports POP3 ISP e-mail accounts, and portal e-mail access to common providers such as MSN Hotmail, Yahoo E-mail, and AOL E-mail. The service supports the capability to access multiple e-mail accounts, and the e-mail accounts are aggregated into one common Inbox. At 902, the e-mail software provides the capability to filter e-mail by account (*e.g.*, unified Inbox Tab, AOL E-Mail Tab, MSN E-Mail Tab, Yahoo E-Mail Tab, and so on). At 904, the application provides to the user the capability to sidestep an e-mail account purge policy. For example, post to Saved On AOL (SOA) is a means of mitigating the purge policy in place for associated users. All opened e-mail is deleted from the users Inbox after seven days. Users have the choice of saving messages to the SOA folder to mitigate this.

[0121] At 906, the service can provide access to the Inbox, Outbox, and Sent Mail. Drafts get saved to Inbox but show as unsent e-mail. Outgoing e-mail waiting to be sent due to loss of coverage or inability to connect with server queue remains in the Outbox. The user can mark e-mail for SOA transfer. At 908, e-mail storage capacity is pooled with SMS storage capacity and is limited to 500 pooled messages. The e-mail application has a preset limit to each e-mail received. POP3 understands lines while IMAP4 is working with kilobytes. The WMD ensures that fifty lines or 3Kb messages (whatever comes first) are downloaded. The user is able to request "More" data be sent if there is additional information in the original e-mail that is not displayed due to the message size limitation. E-mail messages contain at least the From: address, CC: address, the Date and Time received, and Subject.

[0122] At 910, the users can process e-mail according to Reply, Reply All, Forward, Delete and Compose e-mail messages from the WMD. The user also has the option when deleting e-mail to either delete the messages permanently from the server or clear from the WMD device. If cleared from the WMD, the mail is not resent from the server. If deleted from the device, then the e-mail is moved to a

deleted e-mail folder on the server. Copies of the sent e-mail are copied to the server and placed in the appropriate "Sent" mail folder if the portal supports this feature. An e-mail that has not been read on the device is not marked as read on the server (ISP/POP3). An e-mail that has been read on the device is marked as read on the server. When replying to messages the originator e-mail address is auto-addressed in the "To:" field. Additional recipients can be added from the Contact list or manually entered. When replying to e-mails the original message is included, and RE: will precede the original subject.

[0123] When forwarding e-mail messages, the user enters at least one recipient. Additional recipients can be added from the Contact list or manually entered. When forwarding e-mail messages, the original message is included and "FW:" precedes the original subject. When replying to or forwarding an e-mail, the user's e-mail address is that of the account to which the e-mail was sent and the e-mail is routed *via* that account's server. A default user address for composing new e-mail is that of the first e-mail account provisioned or the user selected Default account. The user can change which provisioned e-mail account is set as the Default outgoing e-mail address in the Settings application. The user can change the outgoing e-mail address per message if desired through the Compose interface.

[0124] The user can change or manage user account information for premium portals and ISPs from the Settings application in the WMD device. In one implementation, at 912, the credentials (*e.g.*, username and password) are cached securely and used to seamlessly access each e-mail account. In another implementation, the credentials are not cached in a secure manner. At 914, the user can manage synchronization to e-mail provider servers. The default setting for scheduled Sync is every sixty minutes. The user can pull e-mail on demand. E-mail synched to the device leaves a copy on the server. The user can customize the Sync schedule from a preset list of options (*e.g.*, Minutes: 15, 30, 60; and Hours: 4 or 24; and Never).

[0125] At 916, basic Help instructions are provided. Help information is Index oriented. When a user accesses a POP3 e-mail account and the server is unavailable, an error message is passed to the user that describes the error (*e.g.*, Error: Yahoo server is unavailable). When a user accesses e-mail and their account credentials are incorrect, (*e.g.*, their password has been changed) an error message is passed to the user that describes the error (*e.g.*, Error: Incorrect Password). When an incorrect

password error is encountered, the user is automatically presented with a notification and the re-enter Username and Password form fields.

[0126] When a user presses Send, a connection is automatically established with the e-mail server, and the message is then sent immediately, unless connectivity issues exist. When sending e-mail and connected to the e-mail server, the software client queries for any new e-mail. Scheduled Sync or sending of an e-mail does not interfere with an IM session or slow down general use of the WMD device. Users are provided the capability to sort messages under any tab by Sender or Date/Time stamp. An e-mail client provides the user the capability to filter e-mail in a tabbed format (*e.g.*, Common Inbox, Premium Portals, SMS, and Search). A user is allowed to perform a search of all device resident messages.

[0127] SMS messages are received into the single Inbox, and assigned a different indicator to differentiate the message type from e-mails, for example. When composing a message the user can send to both e-mail accounts and SMS recipients in a single TO: list. When Composing/Replying/Forwarding a message exclusively to SMS (numeric) contacts, the address shown is the user's MSISDN. The user can also send an SMS message from the user's e-mail account. Indication is also provided when an attachment was part of the original message. Additionally, an indication is provided when text was reformatted from HTML, RTF, Java, WML, *etc.* If the user tries to permanently delete a message that has non-viewable content (*e.g.*, Attachment), then a specific error message can be presented to the user.

[0128] A branded auto signature can be appended that conveys that the message is being sent from this WMD device. The user is provided the capability to disable the branded auto signature within the Settings application. The user also is provided the option to save a new e-mail address to Contact when sending to a recipient not already contained in the device contact list.

[0129] Referring now to FIG. 10, there is illustrated a methodology associated with an IM application to provide instant messaging functionality in accordance with the invention. At 1000, the user sets up one or more accounts. Support for three primary IM Communities is provided, *e.g.*, AOL, MSN, and Yahoo! In a more robust user interface, additional communicates can be provided such that the user can access more than three accounts. At 1002, the capability to manage Buddy lists is provided. The user can add a new buddy and block a buddy *via* the device. At 1004, the IM application provides the capability to quickly change presence status from the device.

The status option includes IM Community-specific presence states. The user can create a custom presence state from the device (*e.g.*, "on the bus").

[0130] All buddies can be implemented in a single view under a separate TAB window with visual icon indicators of their community subject to business terms around icon use. A Buddy name from the homepage (or desktop) appears the same on the device for IM Communities that allows buddy nicknames that are different from logon identification. At 1006, multiple IM sessions are allowed at the same time (*e.g.*, multiple chat sessions within an IM Community). Multiple IM sessions from different communities (*e.g.*, Yahoo IM to Yahoo buddy and MSN IM to MSN buddy sessions run concurrently) are allowed.

[0131] At 1008, the user can manage chats using the IM application. Chats are removed when the WMD device is powered down (or powered up). During conversation, old messages are removed cyclically. The exact history depth can be established according to flash/RAM memory budgeting. In case the user signs off intentionally, the chats will be closed. Where the wireless connection to the server is lost, the typing area is disabled. However, in another implementation, the writing area remains open allowing the user to complete the message, but caching the message for transmission when the connection is re-established. This can be cached in the WMD, or when the connection is re-established, at the server, and from the server, transmitted to the recipient when the recipient comes back online.

[0132] At 1010, the user can manage emoticons *via* the IM application. The user can insert and send one or more emoticons using key stroke equivalents. Alternatively or in conjunction with the key stroke equivalents, an emoticon can be inserted into a message using a special emoticon key. IM Community-specific preset emoticons can be received subject to .gifs parameters that are defined and included in the device.

[0133] At 1012, the user can manage messaging during a connection interruption. User presence status does change due to a temporary loss of network connection that is less than two minutes, for example, while device reacquires an active session. Messages queued during the two minute non-service interval are delivered to the recipient device as a continuation of the chat session when connection is reinstated.

[0134] At 1014, the IM application facilitates the management of the default presence state. The user default presence state is set as 'Mobile' when logging in from a device, to the extent that an IM Community supports that presence. The user

default presence state is customizable. At 1016, the capability is provided to have multiple login names and accounts within same IM Community. This takes place by deprovisioning and reprovisioning the service through the Settings application. At 1018, the capability to customize graphics and tone associated with IM buddy on the device is provided.

[0135] Referring now to FIG. 11, there is illustrated a methodology associated with a contacts application to provide contact functionality in accordance with the invention. At 1100, SIM (Subscriber Identity Module) addresses and SMS messages can be copied, if resident on SIM, when the SIM is inserted into WMD device. Some manual reconciliation of data can be performed, if needed (*e.g.*, if Ivy PPC and Ivy Work are entered as two different contacts). At 1102, support for the following fields is provided: First Name, Last Name, E-mail Address, Secondary E-mail Address, Home Phone, Work Phone, Mobile Phone, Other Phone, IM Buddy Handle, IM Buddy Nickname, and Physical Address. Other fields can be provided

[0136] At 1104, support is provided for a new entry function directly into Contacts and a search function within Contacts. At 1106, memory status indication is also provided. The memory status indicator provides the capability to show the user they have 147 Contacts out of a possible 500, for example. An upper limit on the number of messages is associated with the size of the available memory of the WMD device.

[0137] Referring now to FIG. 12, there is illustrated a front view of one implementation of a WMD 1200 in accordance with the invention. In this particular implementation, the WMD 1200 is of a slim-line clamshell design such that when closed, it can be conveniently placed in a pocket, purse, or bag of the user. When opened, the user is presented with a hinged two-part device, a first portion 1202 of which is principally to house a display 1204, which can be an LCD color display for presenting text, video information, and graphics. A speaker 1206 located in the first portion 1202 next to the display 1204 facilitates the output of audio and/or voice signals. A second portion 1208 includes a keyboard 1210 (*e.g.*, a membrane or sealed keyboard that is resistant to the outside contaminants such as rain, dust, *etc.*, that can affect operability of the device 1200) and other controls and input devices that are described in greater detail hereinbelow (see FIG. 14). The keyboard 1210 can be replaced with the Braille input/output (I/O) device such that tactile I/O can be processed to support visually and/or hearing impaired users, for example. When

closed, the first and second portions (1202 and 1208) mate such that the display 1204 and keyboard 1210, for example, are protected.

[0138] The WMD 1200 includes a messaging oriented physical design that provides convenient and efficient user interaction for messaging in accordance with the invention. That is, the device can be conveniently held in one hand while operating and/or inputting information using the other hand. Alternatively, the ergonomic design of the WMD 100 is such that it can be held with both hands where, for example, the left hand can operate controls and keys of the keyboard 1210 within finger/thumb reach of the left hand, and the right hand operates controls and keys of the keyboard 1210 within finger/thumb reach of the right hand. Moreover, the keys and controls are suitably sized to facilitate thumb and/or finger access without inadvertently making a selection by an adjacent key. These ergonomic considerations also apply to the alternative WMD design of FIG. 29 *infra*.

[0139] Referring now to FIG. 13, there is illustrated an isometric of the WMD 1200 of FIG. 12. The WMD of the invention includes the capability to access e-mail, IM, and SMS accounts while mobile. As previously indicated, e-mail messages can include providers such as MSN, AOL, Y!, and ISP (Internet Service Provider)/POP3 portal access providers. IM messages can be processed from at least three generally known providers, such as AIM, Y!, and MSN. SMS messaging includes both domestic and international text messaging, and communicating messages to any SMS-capable device.

[0140] As indicated previously, the WMD features can include a clamshell design, full QWERTY keyboard, a 4K color screen (minimum 240x160 1/8 VGA), quick access to incoming e-mail, IM chats, and IM buddies *via* fixed keys, tone, tactile, and vibration notifications, a personalized color scheme and buddy personas, and easy access to portal-specific emoticons.

[0141] In a more robust implementation, the WMD can accommodate browser support along with mMode content, multimedia messaging *via* MMS messages, and include polyphonic ring tones and a camera accessory. Increased local memory capacity can also facilitate support for preloaded games and easy access for downloads. The display can be an increased resolution to, for example, a 65K color screen. Memory can include removable non-volatile memory (*e.g.*, flash memory). In a more robust implementation, mass storage capability can be provided using a mechanical microdrive housed within the device housing. The WMD can also

include push e-mail support. The WMD can also include geographic location technology such as GPS (Global Positioning System) or a similar technology.

[0142] The WMD provides at least 850MHz and 1900MHz GSM/GPRS (General Packet Radio Service) support, the capability to attach a headset for voice, SIM card (pre-inserted into device) support, charger with mini-USB connection, and monaural earbud. Where desired, the WMD can affix to an accessory that facilitates attachment to a belt or to a purse strap.

[0143] Applications and software can be employed to facilitates wireless activation of user account, the capability of OTA delivery of account settings, an IM client that facilitates access to any number of messaging providers (*e.g.*, AIM, Yahoo! and MSN Messenger, ICQ, and Wireless Village), the capability to insert and receive audio or visual "emoticons" during the IM experience, and the capability to access a consolidated inbox that supports a plurality of e-mail accounts with access to, for example, AOL Mail, MSN Hotmail, Yahoo Mail, ISP mail, and other POP3 mail accounts, along with SMS messages received and sent from the device. The applications/software allow the user to sort mail in the mail account with the capability to present only one specified e-mail account or just SMS, and perform other conventional e-mail operations such as forwarding, replying, replying to all, deleting messages from device, and deleting messages from the server. The applications/software can also provide a standard GSM-compliant voice dialer, and wireless synchronization of an address book *via* a synchronization software, *e.g.*, SyncML.

[0144] The user can quickly and easily activate the device after purchase from a retail location. Use of the WMD device begins "out of the box" without the need to go online or place a phone call for activation. Thus, all activation steps can be completed directly from the device. Additional and/or optional activation can be included *via* the Internet (using, *e.g.*, a personal computer), a telephone call, or through a retailer. The user can be issued an additional set of credentials for access to all of the various business systems, which credentials can be downloaded into the device to facilitate seamless, user independent intervention access to various network elements. SIM information can be automatically read from the SIM and passed to the activation server. Similarly, a user can access the stored information on the SIM and upload it to the WMD.

[0145] A user with an existing telephone number can transfer that phone number to the WMD for voice + data or data only usage. This includes, for example, GSM and TDMA (Time Division Multiple Access) communication devices. Since a user who is an existing subscriber has already submitted subscriber information, if the WMD device is replaced due to failure or loss, the existing subscriber can select an "existing customer" option during activation to bypass most of the activation process presented according to the activation wizard.

[0146] A user needing a replacement SIM can use the WMD without going through the activation wizard again. The user is prompted to confirm basic information, if necessary, from a business security perspective. The WMD facilitates the use of shortcut (or "hotkeys") at the top of the keyboard to bring user directly to an Inbox window and Compose Message window from anywhere. The user can send a message to combined e-mail and SMS recipients in one operation. A message to an SMS recipient can be prevented from being sent if the message exceeds a character limit. Mailboxes include: Inbox (includes draft messages) and Outgoing Mail. A user can filter e-mail to show SMS only, e-mail account #1 only, e-mail account #2 only, and so on. Within filters, the user can sort by sender, date, subject, for example. A "Find" folder facilitates performance of a keyword search through all messages.

[0147] There is also provided the capability to add a sender e-mail/SMS to new or existing contacts *via* an "Address Clipboard" feature. The user can edit and create new templates, create and insert template messages, and choose to insert pre-defined template messages into the text body of an e-mail or SMS. Messages in a "view" mode are read-only. The user can change the text size of the message body for easier viewing.

[0148] A "More" button will appear at the end of a message when the message file is larger than 1Kb downloaded. User can continue to download the rest of the message. The user can also be notified of a SMS or e-mail message by a banner that drops for a predetermined time duration (*e.g.*, 5-7 seconds) and displays the buddy name, action, and runs the Alerticon. If there is more than one new mail message, a "New Mail" icon is presented and the number of new messages displayed.

[0149] IM features further include a Chats "hot key" that brings the user directly to a "buddy list" window from anywhere within the user interface. Existing "buddies" can be imported for each community. A Buddy appears with a selected "nickname" and not always the Buddy ID. Buddies can be displayed alphabetically, and offline

buddies are displayed at the bottom of the list in offline status. Each buddy has a status icon, status title, and a personalization icon. The default is a community 'Alerticon' but the user can select personalized Alerticons from a local list. The user has the capability to add a "New Buddy".

[0150] In one implementation, the user can engage in multiparty chat. The user can send community specific emoticons to buddies in chat sessions, which are accessed *via* an emoticon button on the keyboard. The button brings up a "palette" of community-specific emoticons each of which is assigned to a different key on the keyboard. The user presses the key associated with an emoticon and the emoticon is inserted in the open chat window. The user is notified of a new chat message from a buddy or when a buddy logs on by a banner (similar to the SMS banner) that drops for a predetermined time duration (*e.g.*, 5-7 seconds) and displays the buddy name, action, and runs the Alerticon. The user can also choose to insert pre-defined template messages into the text body of a chat and, edit and create new templates.

[0151] In an optional add-on, the WMD can employ a voice dialer. The user can check dialed, missed, and answered calls. Voice-mail can be accessed by a "press and hold" on a shortcut key. Speed-dial shortcuts can also be assigned. Contact phone numbers can be accessed using a combined alphanumeric smart search. New telephone numbers can be added to Address Book contacts or a new Contact created. Missed calls from the same number are listed in call logs with the number of calls in parentheses, and the user can access the times of the missed calls from an options menu. When dialing or receiving a call from a number already stored in contacts, the Contact Name appears with the type of phone in parentheses, *e.g.*, "John S (cell)". The user can reject an incoming call or send it to voice-mail.

[0152] Some of the settings include screen brightness, color scheme, and a welcome note. Related to IM, an account can be added, passwords changed, account deleted, account status accessed, chat history saved, and auto-login provided. With respect or e-mail, the user can add new account (which launches account wizard), manage pre-defined and POP3 mail, change password and account name, access mail folder management, POP3 and SMTP server management (where applicable), advanced settings (*e.g.*, sync schedule, auto signature, prompt to add new contact, and download message capacity in Kb's). The user can review network connectivity, manage smart accessories to the device (*via* PMG - Personal Mobile Gateway, for example), manage the device security PIN (to lock the device), adjust sound features

(*e.g.*, volume, and click noises), set date and time parameters (*e.g.*, set date and time, format, and alarms), perform a version upgrade, and enable synchronization (*via* SyncML).

[0153] The user can manage and access status information. The IM status can be set "globally" for all communities at the same time or for each community individually. The capability to set "custom" statuses is provided for communities that support this feature from mobile devices. A user can log-in to or log-out from any community using the options menu (the user has the option to save a password). During the sign-in process community icons appear in the status bar (on the top of the window). If user has not provisioned any IM communities, the IM status window automatically directs the user to the option menu to select "Add New Community."

[0154] In e-mail status, the user can manually sync e-mail by selecting send/receive. The user is notified of the connection status of each provisioned e-mail account. Each e-mail account has an associated icon. Status of sync or the connection is displayed as a specific icon (to the right of the e-mail account listing). From the Options menu, the user can send/receive for specific accounts, view details of that account, remove account, add a new account, and go to account settings. For any send/receive that fails, the user is notified when and why the sync failed, *e.g.*, "authentication on mail server failed". Removing accounts for IM or e-mail will bring up a confirmation window. The user can manage profiles to include customizing ring tones, volumes, notification settings, for example, as indicated *supra.*

[0155] Address Book management includes the import of existing address books *via* wireless sync. Such sync can also be performed over a wired connection. A new contact can be added manually to include the following contact fields information, *e.g.*, first name, last name, nickname, mobile phone (2 entries), main phone, work, home phone, e-mail (2 entries), fax, page, notes, postal address, web address, and IM (3 entries). A sender of a received message can be added to Contacts (when mail, IM, or SMS is received). Group lists can also be defined for contacts. The user can send e-mail/SMS/IM or call a contact directly from the Address Book. Contacts can be sorted by First Name or Last Name, for example.

[0156] Fetch is a button and GUI (graphical user interface) popup that allows the user to rapidly view and respond to all newly received unread messages (*e.g.*, e-mail, SMS, and IM). Fetch also facilitates the review of all Draft messages. Message items

in the Fetch list appear in the order they occur, with the last received message in the 2nd list position. The first list position is reserved for a "previous" function that will switch the user back to the screen previously viewed the last time the Fetch button was pressed, allowing quick navigation between active and newly arrived chats, messages, *etc*. Although the previous function is first on the list, the cursor automatically highlights the most recent new mail item. The send/receive function is at the bottom of the list and allows the user to check for new mail. The Chat icon is animated if there is a new message received from a buddy. A "new e-mail" line lists the number of new e-mails and provides the user with a shortcut option to get to the inbox and check new messages. The user can easily access the time a chat or other message was sent.

[0157] Synchronization allows the user to conduct imports from a device. The user is not required to go to a wired web site to perform this operation. The WMD can conduct ongoing syncs where information entered into other address books and devices is synced. The user can interact with a broad range of existing address books. The Help feature allows the user to interact with live online help *via* a "Help Buddy" chat application. The user has access a directory-based troubleshooting guide and contact information for care representatives and online help.

[0158] The user/customer is able to perform the following functions from the WMD: add, remove, or update portal subscriptions; make a payment on an account; and change rate plan. In one implementation, device based updates can be obtained by PC web access to change e-mail address (for billing purposes), update/change credit card number for monthly charges, and change a physical address. In another implementation, these actions can be performed directly from the WMD. Additionally, the following services are available *via* the WMD: Help Buddy access, Troubleshooting Help pages, and Contact information for online help and customer care support. The following services can also be accessed *via* the PC: an interactive troubleshooting wizard and, device and application support and FAQs (Frequently Asked Questions).

[0159] It is to be appreciated that device updates/patches can be pushed OTA to the WMD, with or without user intervention. In many cases, user intervention is required, but in extreme cases, updates and/or patches are pushed to the device without user intervention. It is also within contemplation of the invention that

application updates and/or expansion modules can be pushed OTA to the WMD for hosting.

[0160] Referring now to FIG. 14, there is illustrated one implementation of a keyboard 1400 that can be employed with the WMD of the invention. The keyboard 1400 includes a full QWERTY-style character set of keys 1402, with selected keys facilitating the input of special characters (or symbols) more commonly used in messaging (*e.g.*, +, numbers 0-9, @, #, /, $, and ?). A space bar key 1404 allows selection of the special characters (or symbols), as well as inputting spaces to the message.

[0161] The keyboard 1400 also includes one or more dedicated keys that facilitate immediate execution of desired functions. For example, a first dedicated key 1406 allows the presentation of an interface for viewing and selection of messaging buddies. Similarly, a second dedicated key 1408 allows the user to compose a message for sending. When selected, a corresponding user interface is presented to allow composing and sending of a message for transmission ova messaging, e-mail, and/or SMS, for example. A third dedicated key 1410 facilitates access to a mailbox for e-mail accounts of any one or more e-mail providers.

[0162] A fourth dedicated key 1412 symbolizes a home interface to present general status information and a navigation point to other functions of the device. A fetch key 1414 facilitates the download of messages from any of the subscribed message sources, *e.g.*, e-mail, SMS, and IM providers. Other keys and controls facilitate cursor navigation on the display and screen navigation. For example, an arrow navigation tool 1416 allows the user to move the cursor around the interface to select various options provided thereon. A back key 1418 allows quick back paging of screens presented by the operating system of the WMD.

[0163] An emoticon key 1420 is provided as a shared dedicated key–it is shared with another symbol (*e.g.*, numeral zero). In response to selection thereof, the device displays a collection of graphical artifacts (emoticons) on a palette or menu that facilitate communicating the emotion or state of the user. Once selected, the emoticon is automatically inserted into the message at an appropriate place, transmitted along with the message to the recipient. An emoticon can also be initiated by entering a combination of key strokes that are interpreted by software on the device to equate to a graphical emoticon representation. For example, a graphical smiley face can be entered as three keypad characters: a colon ":", followed by a

hyphen "-"(optional), followed by a right parenthesis symbol ")", the interpretation of which results in the following symbol ☺ being entered into the text message.

[0164] A default set of emoticons can be provided in the wireless device for selection by the user. Updates to the default set can be obtained by downloading new emoticons from, for example, a remote network site. It is to be understood, however, that software can be installed on the wireless device that facilitates the customization of one or more of the existing emoticons, and/or creation of new emoticons for use by the user. It is further to be appreciated that in an alternative implementation, the keyboard 1400 provides the capability of programming any of the keys thereof to facilitate the input of more commonly used emoticons that he or she uses more often than others. For example, a sad-face emoticon "☹" can be programmed in association with the S key such that when the user presses the S key, the corresponding sad-face graphical emoticon is input into the message.

[0165] FIG. 15 depicts a screenshot of a Home screen in accordance with the user interface of the invention. FIG. 16 shows a screenshot of an IM Buddies screen in accordance with the user interface of the invention. FIG. 17 illustrates a screenshot of a Compose screen in accordance with the user interface of the invention. FIG. 18 shows a screenshot of a Mailbox screen in accordance with the user interface of the invention. FIG. 19 depicts a screenshot of an IM Chat screen in accordance with the user interface of the invention. Following is a more detailed description of the user interface screens of FIGs. 15-19, and variations on the user interface illustrated in FIG. 20A-C, 22A-C, 23A-T, and 25A-E, that facilitate always-on messaging in accordance with the invention.

[0166] The device of the subject invention is configured with software which provides a graphical user interface (GUI) that facilitates access to a plurality (or aggregation) of IM providers. Referring now to FIGs. 20A-C, there are illustrated screen features of an IM interface for three providers in accordance with the invention. The IM Lists Folders screen presents community Buddies lists and Status information. Pressing Enter on a highlighted Buddy invokes the corresponding community Chat screen. Also displayed is an active or newly received Chat indication and corresponding icon (Alerticon). By way of an Option Menu, the user can add/remove Buddies, and view/edit/Link to the Buddy's Contact Profile, or Block and Unblock the Buddy.

[0167] In this particular implementation, the IM List screens provide up to three folder TABS, one for each supported community Buddy list. The GUI 2000 of FIG. 20A shows the tab information associated with the AIM portal, FIG. 20B shows tab information associated with the Yahoo portal, and FIG. 20C illustrates the tab information associated with the MSN portal. The description of the GUIs for Fig. 20B and FIG. 20C is similar to that provided herein with respect to FIG. 20A. Community Buddy List TABS are only presented if the user has previously registered to the service. Each TAB displays the community's name and icon.

[0168] IM List - Line Composition and Related Features. Each line of the Buddy list interface contains four columns of information which include the following elements, from left to right: a first column 2002 that displays a Community default Alerticons; a second column 2004 that displays the screen name of a Buddy; a third column 2006 that presents community-specific icons about the status of the Buddy in the second column 2004; and a fourth column 2008 that presents status information about the Buddy in the second column 2004. Each of the three IM communities has a "Branded" default Alerticon that can be assigned to a Buddy in the third column 2006 according to the cases below. All IM Community default Alerticons can incorporate animation and audio, and be used as Banner Alerts for new received IM text.

[0169] When a user first imports the Buddy from an IM server (not Linked to a Contact) the corresponding Community Branded Alerticon of the third column 2006 is automatically assigned to the Buddy. If the user desires, they can create a Link between the Buddy and a Contact, and by access to the Contact Profile, change the IM Community default Alerticon of the first column 2002 to an alternate selection. In one implementation, an IM-only Buddy that is not linked a Contact cannot change the Community default Alerticon. Upon creating a link between an IM Buddy and an existing Contact, the Alerticon can be changed to whatever Alerticon is assigned to the Contact at the time of creating the Link.

[0170] FIG. 21A illustrates community-specific presence icons for the AIM portal related to conversation, offline, and online status. Icon behavior can be programmed to conform to each portal's standards. FIG. 21B illustrates community-specific presence icons for the MSN portal, related to Online, Offline, Busy, Be Right Back, Away, On The Phone, Out To Lunch, Blocked, and Mobile. FIG. 21C illustrates community-specific presence icons for the Yahoo portal related to Available, Away, Idle, Mobile, and Offline. Pre-set presence text and custom presence text are

supported such that other indicators can be configured by the user. The non-default Alerticon assignment and Link to Contact can be stored in non-volatile flash memory to prevent erasure upon removing and replacing the Battery or during a hard reset.

[0171] Name. The Buddy's IM Name/Screen Name (AIM), *etc.*, can be displayed as imported from a specific community IM server. This Name is used on IM Buddy lists and corresponding IM screens only. It is not used for Contacts, unless the user types this name in the first and/or last name field in Contact Profile.

[0172] Referring now to FIGs. 22A-C, there are illustrated screenshots of animations of Community Chat Icons in accordance with the invention. A Community-Specific Chat icon will appear at the right most position of the line if a Chat is open between the user and the respective Buddy. This icon will continuously animate if any unread Chat text was received, and becomes static (as shown in the table below) after the Chat was opened to read the new Chat text, and the user then exits the Chat screen. If the Buddy has gone Offline, the inactive Chat Icon ( ) is displayed. FIG. 22A shows a chat icon 2200 for an AIM portal. FIG. 22B shows a chat icon 2202 for the Yahoo portal. FIG. 22C shows a chat icon 2204 for the MSN portal.

[0173] Animation Timing for Each Community Chat Icon in Fetch. In Fetch, where multiple animating Community Chat Icons from different communities are displayed in varying order, each Community Chat Icon is timed differently (staggered) so that the branded side of each community icon is not shown in the paused position at the same time. In addition to being an entertaining effect, staggered animation further differentiates between an AIM and MSN new Chat.

[0174] Chat Management and Icon Display. The Chat Icon appears when an active (Static) or new Chat (Animating) from the corresponding Buddy is present. When closed, Chat sessions are deleted and their corresponding icons are not displayed. Closing Chat sessions can be managed in the following ways. A chat session will auto close when a Buddy has gone offline for a predetermined duration of time, *e.g.*, ten minutes or more. When buddy goes offline and has an open Chat, the Inactive Chat Icon ( ) can be displayed. A chat session will also auto close when no chat activity from either the Buddy or user has occurred for a predetermined duration of time, *e.g.*, ninety minutes. This duration parameter can be configured by the user in Settings.

[0175] The chat session can be manually ended when the user selects a "Close Chat" option menu item. Sign-off occurs when the user signs-off from an IM service. When the power is turned off and turned on again (recycled), all open Chats will be closed and indications are deleted from the IM and Fetch screen lists.

[0176] Referring now to FIGs. 23A-C, there are illustrated screenshots of community-specific option menu items in accordance with the invention. FIG. 23A shows a screenshot of the option menu for the AIM portal. FIG. 23B shows a screenshot of the option menu for the Yahoo! portal. FIG. 23C shows a screenshot of the option menu for the MSN portal. The following table illustrates some of the options that can be provided for three providers in a dropdown Options menu.

AIM	MSN	Yahoo!
New Message	New Message	New Message
Add a Buddy	Add IM Contact	Add a Friend
Delete Buddy	Delete IM Contact	Delete Friend
Block/Unblock Buddy	Block/Unblock IM Contact	Ignore/Un-Ignore Friend
View Buddy ID/Link	View IM Contact ID/Link	View Friend ID/Link

[0177] The New Message option can be executed by selection or is the same as pressing Enter on the keyboard. If a Buddy is online, New Message opens a new chat with this Buddy. If the Buddy is offline and Buddy profile is not linked to a contact profile, for the offline MSN IM Contact, this opens a new compose message, with the Buddy's IM ID in the "To:" field. These portals support e-mail alternatives to IM. If not supported, a notification popup appears, *e.g.*, "Sorry... You can not send an IM to an Offline Buddy." For the offline AIM Buddy the New Message option opens a new compose message, with the Buddy's IM ID in the "To:" field. If not supported, a notification popup appears, *e.g.*, "Sorry... You can not send an IM to an Offline Buddy." For the offline Yahoo! Friend, the New Message option sends a Delayed IM. If not supported, a notification popup appears, *e.g.*, "Sorry... You can not send an IM to an Offline Buddy."

[0178] If the Buddy is Offline and the Buddy is linked to a Contact Profile, pressing Enter on the keyboard opens a new Compose Message, with the Buddy's e-mail address in the "To:" field (if the Buddy has one address). If in the above case the Buddy has multiple addresses, the address selection popup is opened and presented.

The last used address will be highlighted. Add New Buddy/Friend/IM Contact. Adding a new Buddy can be done from each specific Portal (*via* the Option Menu within the corresponding portal IM Folder), which opens a "New Buddy" popup.

[0179] FIGs. 23D-F illustrate the New Buddy popup screens for the three sample providers. FIG. 23D shows the New Buddy popup for the AIM portal. FIG. 23E shows the New Buddy popup for the Yahoo portal. FIG. 23F shows the New Buddy popup for the MSN portal. The user types the new Buddy unique ID and presses Enter when "Add Buddy" is highlighted. If the new Buddy was located on the IM server, an Add request is sent. If new Buddy was not found on the server, FIGs. 23G-I illustrate the error popup screens that will be presented for the three providers. FIG. 23G shows the New Buddy error popup for the AIM portal. FIG. 23H shows the New Buddy error popup for the Yahoo portal. FIG. 23I shows the New Buddy error popup for the MSN portal.

[0180] Delete Buddy. When selecting a Delete Buddy/IM Contact/Friend Option menu item, FIG. 23J illustrates a confirmation popup for the user to confirm and invoke the Delete function. Block/Unblock Buddy–selecting this option toggles between the Blocked or not Blocked state of the Buddy, marked by an icon and a text. This option is also accessible *via* the Remove Buddy screen shown in FIG. 23J. View Buddy ID/Link–selecting this option opens the Buddy Profile sub-screen.

[0181] FIGs. 23K-L illustrate a view of a Buddy/IM Contact/Friend ID/Link profile card subscreen of the invention. FIG. 23K shows the MSN profile card for a "Remove Link" option. FIG. 23L shows the MSN profile card for a "Link to a Contact" option. The Buddy ID/Link displays the following Information: Buddy name, status icon, IM ID, and Buddy IM address (read-only). If the Buddy is linked to a Contact Profile, it will show the Contact's Alerticon and Contact name, and add the button for removing link if the user so desires. If the Buddy is not linked to a Contact, selecting a "Link to Contact" button initiates the Link sequence. Each link popup can be made community specific.

[0182] Link-to-Contact Sequence. When "Link to a Contact" option of FIG. 23L is selected, the popup illustrated in FIG. 23M opens and provides the following actions. The user can choose to link the Buddy to an existing contact profile, or to a new profile. The user cannot edit the IM address and the IM Name, since this is a read-only field. Selecting "Create New" creates a new contact list entry, with the user

entered Name and the IM address information. Selecting "Add to Contact" opens the "Select Contact" popup, whereas Cancel closes the popup.

[0183] Link to Contact Screen Behaviors and Rules. Certain dynamic option Menu Items for a linked or non-linked Buddy are possible to simplify the flow and interaction model. As such, trade-offs can be considered for implementation thereof. When the Link-to-Contact button is highlighted in the screenshot of FIG. 23M, the First Name and Last Name fields are not displayed. These are displayed when the "Create New" option is highlighted. When the user has entered any name data in either or both the First/Last Name fields, then navigating to the Link-to-Contact button removes both the First and Last Name fields. When Cancel is highlighted, the First and Last Name fields are displayed.

[0184] When the user has either name field highlighted, none of the selection buttons are highlighted. Minimum Name entry is at least one character in either the First or Last Name field. Alert Popup is presented if the user presses Enter on the "Create New" option and there are no name characters entered. The following message appears, "Sorry. You must enter at least a first or last name to Create a new Contact Profile." If the user enters a name that already exists in Contacts and selects "Create New", a popup is displayed related generally to "You already have a Contact <name>, do you want to create a second Contact Profile for <name>? (Yes/Cancel)". It is to be appreciated that alternative messaging can be implemented.

[0185] When selecting the Link-to-Contact button in the window of FIG. 23M, the window of FIG. 23N appears to allow the user to select a contact. The user can then chose which contact profile to add the IM ID. A Community tab can appear empty if the device is logged out of the community, or the user has no Buddies in the list. FIG. 23O illustrates a screenshot of a message presented when the user is not logged in. As the Buddy list is not stored locally, the Buddy list can is presented after sign-in. FIG. 23P illustrates a screenshot of a Sign-On popup window for an AIM user that opens when presses Enter in the sign-in popup sequence. FIG. 23Q illustrates a screenshot of a Sign-in popup window for an MSN user that opens when presses Enter in the sign-in popup sequence. FIG. 23R illustrates a screenshot of a Sign-In popup window for a Yahoo! user that opens when presses Enter in the sign-in popup sequence. FIG. 23S illustrates a screenshot of an AIM window that open when no buddies are on the user buddy list. FIG. 23T illustrates a screenshot of a New Buddy popup window that opens to add an AIM buddy.

[0186] By way of example, and not by limitation, the following table lists community specific terminology used in accordance with the three providers of the invention.

MSN	Yahoo	AIM
Add Contact	Add a Friend	Add a Buddy
Display name	Yahoo! ID	ScreenName
Auto sign-in	Auto Sign In	Auto Login
Added to contacts:	<ID> added	
Display name saved.	Yahoo! ID Saved	Buddy Saved
Auto sign-in OFF	Disabled	
Auto sign-in ON	Enabled	Login Automatically
Contact list updated	Friend List Updated	Refresh List
Signed in	Signed In as <ID>	Sign On
Signed out	Signed Out	Signing Off
Removed from contacts:	Removed from Friends	Delete
Contacts	Yahoo! Friends	Contact List
Contact list is full	Your Friend List is full. Please delete an existing Friend to add a new one.	
Invalid e-mail address	Invalid Yahoo! ID	<abc> is not available
Sign-out failed.	Sign Out Failed	Screen Name not valid
Contact already in list	That Friend is already in your Friend List.	
Conversations	Conversations	Instant Messages
Delete contact	<ID> deleted	
Chat	Chat	Chat
Sign out	Sign Out	Sign Off
Display name:	Display Name / Nickname	N/A
E-mail address:	Yahoo! ID	Buddy Name
Sign out and end all conversations?	Sign Out and end all conversations?	
Delete contact	Delete Friend	Delete Buddy
Signing in	Connecting to Yahoo!	Connecting
Signing out		N/A
Block contact	Ignore (remove)	Block
Contact info	View Info	Get Info
Messenger	Y!Messenger	AIM

[0187] FIG. 24 illustrates a table of some keyboard key controls and functions of the invention. The table illustrates the control name, associated control symbol or icon, and control description.

[0188] FIGs. 25A-E illustrate a number of screenshots related to a Help tool (or Help Buddy) of the user interface of the wireless messaging device of the invention. The Help tool provides guidance and/or advance information on user experiences that can occur with the product that are problematic or unexpected. The Help tool also provides information when a function is performed and the result is not as anticipated, and can furnish information on hidden or non-obvious advanced user functions, shortcuts and operation "tips" that are not readily apparent in either the product and/or user's manual.

[0189] The Help tool is accessed *via* the Home screen. When opened, Help folders offer three help methods: Live Support Chat, Help Pages of text indexed by topics, and Technical Support Information providing contact information for the user to call or access the Internet. These three Help methods are selected using TAB navigation. These tabs are sticky, that is, the tab last used when leaving the help pages will be the tab highlighted when returning to the help section.

[0190] The Help Buddy as defined is a single, persistent online resource for conducting a live Chat with a technical support assistant. As such, multiple Chat list screens or Buddies Lists are not needed, which provides the user with immediate Chat accessibility at all times. A user need only commence typing in the chat text field, select Enter, and receive responses. Additionally, the TAB help resources are in constant view of the user enabling online help to easily direct a user to local help content in Help Pages or technical support information.

[0191] A total of three hierarchical levels are provided for the "Help Pages" index, topic and detail text. If an Index (Top Level) item does not have many sub-topics, this "Sub-Topics" screen could be eliminated and the Detail popup would be invoked directly from the Index item.

[0192] FIG. 25A illustrates a Live Support screen in accordance with the help tool of the invention. Live Support functions as a normal Chat but without indications for the Help Buddy Presence Status (as the Help Buddy is always online), and without any links or dependencies to the user's presence status (the user is also always Online with regards to the Help Buddy Chat). Specific message protocols and system responses or notifications can be associated with each Help selection. As a separate

application and community, the Help Buddy messages do not appear on Fetch. However, a number indicating new unread Help Buddy Messages can be displayed on the Help Icon in the Home Screen, and on the folder TAB in the Help Folders Screen. New received Help Buddy messages can be displayed on a Banner Alert with a dedicated Alerticon.

[0193] FIG. 25B illustrates a Help index list screen. A user can navigate the List and press Enter to open the sub-screen index of help topics for the selected topic. FIG. 25C illustrates a Help Sub-Topics screen. A user can navigate the List and press Enter to open the Help Topic Detail popup screen for the selected topic. FIG. 25D illustrates a Help Topic Detail popup screen. The user can scroll through the detail text descriptions. A last scroll position highlights the "Close" button. Pressing Enter when highlighted closes the Detailed Popup screen and returns the user to the next Help screen level up (Help Sub-Topics). The same action results by pressing an Up button so that the user can scroll the help page. When at the end, the Close button will highlight. Pressing Enter will close the screen.

[0194] FIG. 25E illustrates a Technical Support Information screen. This screen can be used to display technical support information, *e.g.*, telephone and internet contact information. Although not illustrated, another Help screen can include an index to a number of existing and other options. For example, the Help screen can facilitate contacting not only Live Technical Support, but also a Billing Help Buddy to access billing information, Roadside Assistance to contact the nearest roadside assistance personnel, Emergency Medical to contact the nearest medical support and/or facilities, and a Bank associated with the user account.

[0195] The general architecture of the Help Tool described herein finds application not only with portable wireless devices, but also in other settings such as with home television systems, vehicle television and locations systems (*e.g.*, GPS–Global Positioning System), and radio systems. For example, television systems provide menus and/or related options such that the viewer can access a Help system. In this context, the accessed Help menu can route the user to a live Help support representative whose video image is provided in a "face-to-face" interaction to resolve a setting or problem. In the context of a digital radio system, for example, the user can be connected to a Help representative using only audio interaction to provide help and/or resolve a problem. When employed in a cellular telephone that include

video capability, either video or audio, or both, can be used to help the caller resolve a problem.

[0196] Following is a general listing of Help categories that can be employed. General headings can include troubleshooting, establishing or maintaining a good communications connection, setup, storage and memory, error notifications, synchronization, and advanced user information. Subcategories for the troubleshooting category can include how to resolve the inability to send a message, open an IM, respond to undeliverable e-mail, how to perform a hard reset, and change credit card and billing information. The connection information can include support for GSM/GPRS connectivity, IM server connections, and e-mail server connectivity. The setup heading can include further information about a communication wizard and an activation wizard. The storage/memory category can provide further information about storage capacity of the WMD, the number of IM messages currently in store, the number of messages saved at a provider location (*e.g.*, saved on AOL), and the number of contacts stored in the WMD.

[0197] The error notifications heading can include alerts for message storage, IM Buddies Lists and battery life. The advanced user category can include further information for advanced user such as useful tips, shortcuts, and other advanced information.

[0198] FIG. 26 illustrates a table of keyboard controls and functions associated with interaction with the Help tool of the invention. The table illustrates the control name, associated control symbol or icon, and control description.

[0199] FIG. 27 illustrates an Alerticon palette that can be accessed to associate icons with contact profile, in accordance with the invention. The Alerticon palette is accessed from the Contact Profile screen, and used for previewing, selecting, and assigning an Alerticon to a Contact. This palette sub-screen is scalable, presenting eight columns of items, four rows of thirty-two viewable icons per page. A scroll bar navigation and indication is used if more then four rows of items are provided.

[0200] The user can navigate the position of the Highlight (a 32x32 pixel enlargement) about the palette using the arrow navigation controls. Positioning the Highlight on any Alerticon for more the two seconds, for example, will play the animation with sound. The play action can be interrupted at any time by simply scrolling off that Alerticon, or by selecting it. Pressing Enter assigns it to the contact

and closes the palette. The position of the Highlight in the palette is pre-set on the previously selected or default Alerticon.

[0201] FIG. 28 illustrates a table of keyboard key controls and functions provided associated with interaction of the Alerticon palette of the invention. The table illustrates the control name, associated control symbol or icon, and control description.

[0202] FIG. 29 illustrates a front open view of another implementation of a WMD 2900 in accordance with the invention. As before, the WMD 2900 is of a slim-line clan-shell design such that when closed, it can be conveniently placed in a pocket, purse, or bag of the user. When opened, the user is presented with a hinged two-part device, a first portion 2902 of which is principally to house a display 2904, which can be an LCD color display for presenting text, video information, and graphics. A speaker 2906 located in the first portion 2902 next to the display 2904 facilitates the output of audio and/or voice signals. A second portion 2908 includes a keyboard 2910 and other controls and input devices that are described in greater detail hereinbelow.

[0203] The keyboard 2910 includes a full QWERTY-style character set of keys 2912, with selected keys facilitating the input of special characters (or symbols) more commonly used in messaging (*e.g.*, +, numbers 0-9, @, #, /, $, and ?). A space bar key 2914 allows selection of the special characters (or symbols), as well as inputting spaces to the message. The keyboard 2910 also includes one or more dedicated keys that facilitate immediate execution of desired functions. For example, a first dedicated key 2916 allows the presentation of an interface for viewing and selection of a mailbox that includes messages from any or all of the subscribed message types (*e.g.*, instant messaging, e-mail, and SMS). Similarly, a second dedicated key 2918 allows rapid access to chat functions employed in the WMD 2900. A third dedicated key 2920 facilitates power and quick settings access *via* the user interface. A fourth dedicated key 2922 facilitates direct access and execution to the compose application to compose a message.

[0204] A fifth dedicated key 2924 provides quick access to the homepage (or desktop) of the device 2900. A sixth dedicated key 2926 facilitates a fetch function to retrieve messages from the subscribed portals. A seventh dedicated key 2928 provides quick access to an options menu. An eighth dedicated key 2930 facilitates the opening of a home screen or closing of popup screens. Other keys allow the user

to interact with emoticons, access volume control and navigate up/down and left/right on the user interface, for example, and are described in keyboard key control tables provided herein with other applications and functions. The user interface of the device 2900 shows a login (or sign-in) screen for the MSN portal.

[0205] FIG. 30 illustrates the device 2900 where the user interface shows one version of a Home page in accordance with the invention. The Home page facilitates the selection of further system applications and options, for example, Mailbox, IM, Compose, Contacts, Status, Profile, and Support. FIG. 31 illustrates one version of a live support Help screen in accordance with the invention.

[0206] FIG. 32 illustrates a generally top view isometric of the WMD 2900 of FIG. 29 in a closed position. When closed, the first and second portions (2902 and 2908) mate such that the display and keyboard, for example, are protected. The device 2900 includes an outer support structure 3200 that facilitates ergonomics when handling the device 2900, and also for strapping the device to a belt or other parts of the clothing and accessories (*e.g.*, a purse strap).

[0207] FIG. 33 illustrates a front view of the device 2900 in a closed position. An audio jack 3300 enables the user to use headphones or and earbud when interacting with audio signals. FIG. 34 illustrates an activation wizard screen for initiating activation in accordance with the invention. FIG. 35 shows one version of an account setup wizard screen in accordance with the invention. FIG. 36 depicts one version of a mail inbox interface screen in accordance with the invention. FIG. 37 illustrates one version of an instant messaging status screen for an MSN portal in accordance with the invention. FIG. 38 shows one version of a compose screen in accordance with the present invention. The user can enter the TO: information, SUBJECT: line information and message body text. FIG. 39 depicts one version of a fetch popup screen in accordance with the invention.

[0208] In summary, following are some of the many aspects of the invention. The user can purchase the WMD and activate the WMD in a number of ways: from a retail channel and self-activate the WMD, from the retail channel and activate the device in-store, from the retail channel and activate *via* telephone, from the retail channel and activate *via* wired web, and from a virtual channel and self-activate *via* the wired and/or wireless network.

[0209] Activation can further be implemented by issuing a new SIM. A new user can be issued a new SIM. An existing subscriber can be issued a new SIM with a new

number, a new SIM that retains existing phone number, and an old SIM. An existing WMD subscriber can be issued a new SIM.

[0210] The subject invention supports an activation scenario where the activation process was interrupted. This can include resetting the activation process, and restarting the activation process at a point just before interruption, for example. Activation can fail because of an inability of the provider or the device to process the subscriber information. For example, activation fails because of the lack of correct data entered, or the subscriber fails credit card authorization. Activation can be pending when the user turns off device. Activation can be interrupted or fail where the user fails to setup either an e-mail or an IM account.

[0211] The user can setup access to a primary existing e-mail account, to second or third e-mail accounts, access to new e-mail account, access to an invalid e-mail account, access to a POP3 ISP account, and access to an ISP account not pre-configured. The user can setup access to a primary IM account, to second or third IM accounts, to a new IM account from the device, and to an existing IM account but the portal replies that the account is invalid. A final message can be presented to remind the user of their number for text messaging.

[0212] The user can sync their e-mail contact addresses to a network-based address book. The address book can be imported from a network and/or ISP. The system can address a scenario where the Sync fails. The user can manually enter e-mail addresses to the Contacts file, save e-mail address to the Contacts file after sending the e-mail, and add new e-mail address if the e-mail is open and active.

[0213] Users can manually enter phone numbers or save phone numbers from a SIM-based address book. The user is not allowed to change the IM buddy name that is sent from a portal to the Contacts file. The user can add a new buddy directly to the Contacts file. The user can view all e-mail/SMS messages in an Inbox, read a specific e-mail, change the status for all IM services, view all unread IM messages, view all "current" chats, start a new chat, switch between two active chats, and start a different chat while in a first chat. A buddy list can be viewed and separated by community.

[0214] A new SMS message can be composed with the number of characters displayed as the user enters the text. This facilitates limiting the SMS message to 160 characters or less, if desired. The user can accept an invite from a new buddy (someone else has added you). A new e-mail can be composed to one recipient (already in the Contacts file). The user can search for someone on the buddy list. The

user can reply to an e-mail message, reply to an SMS message, get new e-mail (by manual pull), forward r-mail to one recipient, compose a new mail to mixed e-mail/SMS, and forward e-mail to multiple recipients.

[0215] The user can add a new contact, delete a message from the Inbox, view SMS messages only, sort messages by sender, delete a message after reading it, add someone to an existing (or current) chat, and add a new buddy (to New Contacts or add to Existing Contacts). The SIM can be read for old contacts. The user can manually log out of IM service, change status for only one IM service, add a new e-mail account, compose a new e-mail to someone not in Contacts (auto prompt to add after sending), add a new IM service (to device, already provisioned on desktop), and add a new IM service (no setup on desktop). The pre-paid account balance can be accessed by the user. Premium SMS content is provided for an added fee.

[0216] The user can create and send an IM to an offline (mobile) buddy, request a password reminder from a portal, send an emoticon, receive a message with an emoticon (on device), and receive a message with emoticon (not on device). A sender of an SMS can be called. The user can change an IM "Nickname", and customize which emoticons are assigned to which key. An SMS message can be sent with more than 160 characters such that the message will then be processed in parts. The user can block a buddy, unblock the buddy, warn a buddy, and receive e-mail from someone not on the Contacts list.

[0217] Wireless coverage can be interrupted and resumed. The ring tone can be changed, and e-mail postponed (or saved to Drafts). The Draft e-mail can then be retrieved for sending or deletion. The user can create a custom status (pre-send) by customizing both the name and the icon. A custom filter of contacts/buddies can be created (*e.g.*, most recently chatted/e-mailed with, or custom—"My Favorite Friends"). sunshine

[0218] The user can see how much memory is left, and attempt to get new e-mail when memory is full. An e-mail distribution list (*e.g.*, of "classmates") can be created and an e-mail sent to that distribution list. The user can pay by credit card, EFT from checking and savings accounts and reloadable Gift Cards.

[0219] FIG. 40 illustrates a block diagram of a first WMD 4000 (denoted WMD_1) in accordance with the invention. The device 4000 (similar to devices 100, 1200, and 2900) includes a processor 4002 for controlling all onboard operations and processes. A memory 4004 interfaces to the processor 4002 for temporary storage of data,

instructions, and one or more applications 4006 being executed by the processor 4002. The memory 4004 can include fixed or removable flash memory, a physical microdrive (magnetic and/or optical), and the like, insofar as data volatility/non-volatility is considered. A communications subsystem component 4008 (*e.g.*, a transceiver subsystem) interfaces to the processor 4002 to facilitate wired/wireless communications with external systems.

[0220] The device 4000 includes a display 4010 for displaying any information and/or graphics, for example, messages created and/or downloaded in accordance with the invention, related message content, and for displaying text information related to operating and using the device features. The display can be a touch-sensitive device that facilitates interaction by user touch and/or a suitable pen device. A serial I/O interface 4012 is provided in communication with the processor 4002 to facilitate serial communication (*e.g.*, USB, and/or IEEE 1394) *via* a hardwire connection. This supports at least updating and troubleshooting the device 4000, for example. Audio capabilities are provided with an audio I/O component 4014, which can include a speaker for the output of audio signals related to, for example, recorded data or telephony voice data, and a microphone for inputting voice signals for recording, processing and transmission.

[0221] The device 4000 includes a slot interface 4016 for accommodating a SIM card 4018, and interfacing the SIM card 4018 to the processor 4002. Firmware 4020 is also provided to store and provide to the processor 4002 startup and operational data and instructions.

[0222] Although not illustrated, it is within contemplation of the invention that in a more robust implementation, the device 4000 can also include an image capture component such as a camera. The user can then take digital pictures, and transmit the pictures to a remote location or store the pictures locally. In yet another implementation, the device 4000 can include a video decoder for decoding encoded multimedia content that is received as a message in any format of instant messaging, SMS, e-mail, and MMS. The device 4000 also includes a power source 4022 in the form of batteries, which power source 4022 interfaces to an external power system or charging equipment *via* a power I/O component 4024.

[0223] The applications 4006 resident on the device 4000 can include, for example, an operating system for configuring and manipulating local data and settings, the user interface for interacting with the applications described herein, IM

middleware, wireless content browser applications, address book applications, software that facilitates the presentation and interaction with emoticons or similar graphical artifacts, and any other software suitable for operation on the device 4000. In a more robust implementation, the applications 4006 include a voice recognition software that can be trained to learn voice signals of a user. The user can then input message content by voice. Given the availability of such a software, the device 4000 can then be controlled using voice commands that not only facilitate the input of message content, but also facilitate the selection of features provided on the device 4000. For example, a single voice command "smiley!" can be interpreted to insert the smiley emoticon into the message content at the appropriate place.

[0224] As will be appreciated by one skilled in the relevant art, such voice interaction algorithms provide numerous additional control capabilities, *e.g.*, turning the device 4000 on or off, initiating a standby mode, accessing an IM account, providing device security where the voice is not recognized by the device 4000, and many more, all of which are within contemplation of the subject invention.

[0225] The device 4000 includes interface hardware and software that facilitates interfacing the device 4000 to a subsystem (not shown) or other computing device such that the message(s) can be presented *via* the subsystem or other computing device. Such interfacing can be provided by way of the serial interface 4012 and/or by the communications component 4008. Thus, a user can bring the device 4000 within communication range of the subsystem or other computing device such that the message can be presented by the other systems, and/or created on the other systems for transmission to the device 4000, and on to the instant messaging network for reception by an intended recipient. Such wireless communications means can include infrared (*e.g.*, IrDA), Bluetooth™, or other similar wireless technologies.

[0226] FIG. 41 illustrates a block diagram of a wireless messaging system (WMS) 4100 that uses a mobile messaging gateway server 4102 in accordance with the invention. In this particular implementation, the gateway 4102 is external to the WMD 4000, and operates to provide access between the WMD 4000 and a plurality of providers 4104 (denoted $PROVIDER_1$, $PROVIDER_2$,...,$PROVIDER_N$) messaging-capable devices. For example, where other suitably-designed devices are provided, the WMD 4000 can communicate messages with at least a second WMD device 4106 (denoted WMD_3), a messaging-capable television 4108, and a messaging-capable gaming console 4110.

[0227] The providers 4104 can be any combination of different or similar type of instant messaging provider, e-mail provider, MMS provider, and SMS provider, for example. For example, a first portal 4112 can be an instant messaging provider, a second portal 4114 can be an e-mail provider, and a third portal 4116 can be an SMS provider. Alternatively, by way of example but not by limitation, the providers 4104 can all be e-mail providers, or all SMS providers, or all IM providers. In any case, the gateway 4102 facilitates communication of the different types of messages to the WMD 4000 and from the WMD 4000 to the providers 4104 and associated devices.

[0228] A messaging accounting system 4118 interfaces to the gateway 4102 to track costs associated with a given user and the different types of message traffic, and any other related costs for billing a user. It is to be appreciated that the accounting system 4118 can be many subsystems. Moreover, some or all of the providers 4104 can include a separate accounting system 4120 for tracking message traffic and user activities for billing purposes.

[0229] It is to be appreciated that the gateway server 4102 can be employed within the WMD 4000 (as indicated *supra* in FIG. 3) such that account aggregation can be accomplished therein. This further facilitates convenient geographical roaming such that messages can be communicated and processed accordingly from anywhere the user might be.

[0230] The system 4100 can also include a computer 4122 that interfaces by conventional communications means to a global communications network 4124 (*e.g.*, the Internet). In support thereof, the user can login to the provider website and perform device activation and many other functions *via* the website. For example, the user can view account data, payment information and, view and send messages *via* any of the selected provider portals 4104. The television 4108, gaming console 4110, and computer 4122 can facilitate instant messaging in accordance with the invention by digital means. Thus, when messaging form the WMD 4000 to the television 4108, accounting systems associated with the WMD 4000 can track activities for billing purposes, and/or accounting systems associated with the television 4108 can perform such operations, since such digital traffic can also be monitored by the television systems (not shown). Of course, messaging with the television 4108 need not be *via* the network 4124, but by cable television systems (not shown). The providers 4104 can communicate wirelessly directly to the gateway 4102, or to the gateway 4102 *via* the network 4124 (not drawn as such).

[0231] The system 4100 can be implemented as a GPRS system based upon GSM. Alternatively, the system 4100 can be implemented on other types of communications systems including, but not limited to UMTS (Universal Mobile Telecommunications Services), EDGE (Enhanced Data for GSM Evolution), CDMA (Code Division Multiple Access), IS-136, and analog systems. IS-136 is also known as Digital AMPS (Advanced Mobile Phone System), succeeds IS-54, and addresses digital cellular systems that employ TDMA. IS-136 also allows analog AMPS to coexist, and specifies a DCCH (Digital Control CHannel) in support of new features controlled by a signaling and control channel between the cell site and the terminal equipment.

[0232] Aspects of the invention described above may be stored or distributed on computer-readable media, including magnetic and optically readable and removable computer discs, as microcode on semiconductor memory, nanotechnology memory, organic or optical memory, or other portable data storage media.

[0233] The computer-readable media as well, can be distributed electronically over the Internet or over other networks (including wireless networks). Those skilled in the relevant art will recognize that portions or embodiments of the invention may reside in a fixed element of a communication network, while corresponding portions may reside on a mobile communication device. Data structures and transmission of data particular to aspects of the invention are also encompassed within the scope of the invention.

[0234] Computer-readable instructions, data structures, screen displays, and other data under aspects of the subject invention can be distributed over a global communications network (*e.g.*, the Internet) or other networks (including wireless networks), or on a propagated signal on a propagation medium (*e.g.*, electromagnetic wave, light wave, sound wave, and so on) over any period of time, or can be provided on any analog or digital network (packet switched, circuit switched, or other information-delivery architecture).

[0235] Although not required, aspects of the invention can be described in the context of computer-readable instructions, such as routines executed by a general-purpose computer (*e.g.*, a server computer, wireless device, or personal/portable computer). Those skilled in the relevant art will appreciate that the invention can be practiced with other communications, data processing, or computer configurations, including Internet appliances, hand-held devices (including PDAs), wearable

computers, all manner of cellular and/or mobile telephones, embedded computers (including those coupled to vehicles), multi-processor systems, microprocessor-based or programmable consumer electronics, set-top boxes, network PCs, mini-computers, mainframe computers, and the like. Indeed, the terms "computer," "host," and "host computer" are generally used interchangeably, and refer to any of the above devices and systems, as well as any data processor.

[0236] What has been described above includes examples of the subject invention. It is, of course, not possible to describe every conceivable combination of components or methodologies for purposes of describing the invention, but one of ordinary skill in the art may recognize that many further combinations and permutations of the invention are possible. Accordingly, the invention is intended to embrace all such alterations, modifications and variations that fall within the spirit and scope of the appended claims. Furthermore, to the extent that the term "includes" is used in either the detailed description or the claims, such term is intended to be inclusive in a manner similar to the term "comprising" as "comprising" is interpreted when employed as a transitional word in a claim.

CLAIMS

What is claimed is:

1. A messaging-centric mobile communications system, comprising:

a communications component that facilitates wireless communications of information over an always-on communications network; and

a messaging component that automatically provides status information to the communications component such that the communications network can detect substantially immediately a state of the messaging component.

2. The system of claim 1, wherein the messaging component processes multimedia information.

3. The system of claim 1, wherein the messaging component processes a Short Message Service (SMS) message.

4. The system of claim 1, wherein the messaging component processes an e-mail message.

5. The system of claim 1, wherein the messaging component processes an instant messaging (IM) message.

6. The system of claim 1, wherein the always-on communications network provides a sustained wireless data connection.

7. The system of claim 1, wherein the always-on communications networks provides a buffered/mediated service.

8. The system of claim 7, wherein the buffered/mediated service uses out-of-band signaling to initiate a packet data protocol (PDP) context.

9. The system of claim 1, wherein the messaging component facilitates voice communications.

10. The system of claim 1, wherein the messaging component processes an e-mail message that is received from one of a plurality of accessible e-mail accounts.

11. The system of claim 1, wherein the messaging component processes an IM message that is received from one of a plurality of different accessible IM providers.

12. A personal digital assistant (PDA) according to the system of claim 1.

13. A cellular telephone according to the system of claim 1.

14. A hand-held text-only device according to the system of claim 1.

15. The system of claim 1, wherein the communications component communicates with a dedicated network that supports at least one of PDP and an access point name (APN).

16. The system of claim 1, where the messaging component receives status information of one or more remote users disposed the network.

17. The system of claim 1 facilitates self-provisioning, which self-provisioning is independent of requiring product personnel to assist in activation thereof.

18. The system of claim 1, wherein the messaging component facilitates composing a message without specifying a delivery bearer.

19. The system of claim 1, the messaging component facilitates IM community aggregation such that a message can be communicated *via* at least one of an e-mail system, an SMS system, an MMS (Multimedia Messaging Service) system, and an IM system.

20. The system of claim 1, further comprising a display that facilitates presentation of the status information to a user.

21. The system of claim 1, wherein the messaging component facilitates generation of a message, and communication of the message to select ones of a plurality of message providers.

22. The system of claim 1, wherein the messaging component facilitates access to at least one of a remote help site and local help information.

23. A mobile terminal that facilitates messaging, comprising:

a memory component that stores at least one of data and instructions related at least in part to processing of a message;

a processing component that interfaces to the memory component to process at least one of the data and the instructions;

a communications component that facilitates wireless communications of status information over an always-on communications network, which status information allows the network to detect substantially immediately a state of the terminal; and

a user interface component that facilitates presentation of the message and creation of a new message.

24. The terminal of claim 23, wherein at least one of the message and the new message comprise,

an e-mail message that is processed according to one of a plurality of different e-mail accounts;

an SMS message that is processed according to one of a plurality of different SMS accounts; and

an IM message that is processed according to one of a plurality of different IM accounts.

25. The terminal of claim 23, wherein the status information facilitates substantially immediate determination of an online status of a remote user.

26. The terminal of claim 23, further comprising a community aggregation component that facilitates access to two or more different messaging providers.

27. The terminal of claim 23, further comprising a provisioning component that facilitates provisioning/deprovisioning of the mobile terminal for always-on wireless communications.

28. The terminal of claim 23, further comprising a messaging gateway that facilitates communications with different messaging provider networks.

29. The terminal of claim 23, further comprising a message composition component that interfaces to the user interface component and facilitates automatic generation of one or more aspects of the message being created.

30. The terminal of claim 23, further comprising an add-on component that facilitates enabling additional services.

31. The terminal of claim 30, the additional services include a voice service such that the mobile terminal can communicate a cellular telephone call.

32. A mobile terminal that facilitates instant messaging, comprising:

a memory component that stores data and instructions related at least in part to processing of a message;

a processing component that interfaces to the memory component to process at least one of the data and the instructions;

a communications component that facilitates always-on wireless communications with an always-on communications network;

a status component that provides status information related to online status of a user of at least one of a same messaging provider and a different messaging provider;

a community aggregation component that facilitates access to two or more of the different messaging providers;

a provisioning component that facilitates self-provisioning of the mobile terminal *via* the communications network;

a user interface component that facilitates presentation of the message and creation of a new message; and

a message composition component that interfaces to the user interface component and facilitates automatic generation of one or more aspects of the message being created.

33. The terminal of claim 32, wherein the status information is associated with at least one of a user of the mobile terminal and a remote user.

34. The terminal of claim 32, wherein the user interface component facilitates voice interaction with the mobile terminal to interact with one or more functions associated therewith.

35. The terminal of claim 32, wherein the provision component facilitates activation and provisioning by requesting input of personal information of the user.

36. The terminal of claim 32, further comprising a help component that facilitates access to at least one of live help support to resolve a problem, an emergency service, banking information, and IM account information.

37. The terminal of claim 32, further comprising a messaging gateway that facilitates communications with different messaging provider accounts.

38. A system that facilitates instant messaging, comprising:

an always-on communications network that facilitates communication of status information; and

a hand-held messaging-centric terminal disposed in communication with the network and whose status information is automatically communicated to the network such that its status is known substantially immediately to the network.

39. The system of claim 38, further comprising at least one of a personal computer, a PDA, a television, and a gaming console, any one or more of which is disposed in communication with the terminal such that messages can be transmitted therebetween.

40. The system of claim 38, further comprising a plurality of different messaging providers disposed in communication with the network and that provide different corresponding messaging technologies, and all of which communicate with the terminal via the network.

41. The system of claim 38, the terminal communicates wirelessly with the network via a cellular communications network.

42. The system of claim 38, the terminal communicates wirelessly with the network via an Internet.

43. The system of claim 38, further comprising a mobile messaging gateway disposed on the network that facilitates communication between the terminal and at least one of an e-mail provider, an SMS provider, an IM provider, and an MMS provider.

44. A method of mobile messaging using a mobile terminal, comprising:

providing a status component that automatically provides status information associated with a state of the terminal;

providing a messaging component that facilitates presentation and processing of a message and the status information; and

communicating the status information to an always-on communications network such that the state of the terminal is detected substantially immediately by the network.

45. The method of claim 44, further comprising displaying at least one of an SMS message and an IM message.

46. The method of claim 44, further comprising displaying at least one of an e-mail message and an MMS message.

47. The method of claim 44, in response to the status information indicating that the terminal is online:

receiving an e-mail message from one of a plurality of e-mail accounts;

processing the e-mail via the messaging component;

creating a reply e-mail message; and

transmitting the reply e-mail message to one or more of the plurality of e-mail accounts.

48. The method of claim 44, in response to the status information indicating that the terminal is online:

receiving an IM message from one of a plurality of IM accounts;

processing the IM message via the messaging component;

creating a reply IM message; and

transmitting the reply IM message to one or more of the plurality of IM accounts.

49. The method of claim 44, in response to the status information indicating that the terminal is online:

receiving an SMS message from an SMS account;

processing the SMS message via the messaging component;

creating a reply SMS message; and

transmitting the reply SMS message to one or more of a plurality of SMS accounts.

50. The method of claim 44, further comprising automatically formatting a reply message of at least one of an e-mail message, an IM message, and an SMS message for a corresponding delivery bearer.

51. The method of claim 44, further comprising automatically presenting an alert associated with status of a remote user.

52. The method of claim 44, further comprising the acts of:

presenting one or more selections of help information;

interacting with one of the help information selections; and

routing terminal communications to a remote website in order to access the selected help information.

53. The method of claim 44, further comprising presenting an activation wizard that facilitates self-provisioning of the terminal.

54. The method of claim 44, further comprising adding a voice component that facilitates voice communications via the terminal.

55. The method of claim 54, further comprising controlling the terminal via the voice component.

56. A method of mobile messaging using a mobile terminal, comprising:

automatically communicating to an always-on communications network status information associated with a state of the terminal such that the state of the terminal is detected substantially immediately by the network;

in response to the status information indicating that the state of the terminal is online, accessing a messaging provider account;

processing a message of the provider account; and

providing an indicator that the message is available for perceiving.

57. The method of claim 56, the act of processing includes one or more of the acts of:

downloading an IM message;

downloading an e-mail message; and

downloading an SMS message.

58. The method of claim 56, further comprising perceiving the message by at least one of visually and audibly.

59. The method of claim 56, further comprising provisioning the terminal by one or more of the acts of:

activating the terminal wirelessly;

activating the terminal via a personal computer;

inputting user information;

selecting a rate plan;

creating a user account; and

receiving credentials that facilitate access to the user account.

60. The method of claim 56, further comprising provisioning the terminal by inserting a replacement Subscriber Identity Module (SIM) that includes account information.

61. The method of claim 56, further comprising provisioning the terminal by inserting a SIM and downloading account information from the SIM.

62. The method of claim 56, further comprising synchronizing with the network to send and receive the message.

63. The method of claim 56, further comprising configuring a default synchronization schedule.

64. The method of claim 56, further comprising authenticating to the messaging provider account.

65. The method of claim 56, further comprising sending an alert if the message is exceeds a predetermined size.

66. A messaging-centric mobile terminal, comprising:

a memory that stores data and instructions;

a processor that accesses the memory to process the data and the instructions;

an input/output (I/O) component that couples to the processor and facilitates user interaction with the terminal;

a transceiver subsystem that facilitates wireless communications with an always-on communications network;

a display that presents at least one of the data and instructions in the form of display descriptions;

an applications component that includes,

a status application which provides terminal status information that is communicated over the network, and receives remote user status information from the network about the status of one or more remote users;

a user interface that facilitates presentation of the display descriptions in a user interactive format;

a composition component that facilitates composing a message; and

an aggregation component that facilitates message processing from two or more different messaging providers, and access thereto by the user interface;

an audio I/O component that facilitates audio output and voice input;

a power source;

and

a clamshell housing that supports the memory, the processor, the I/O component, the transceiver subsystem, the display, the applications component, the audio I/O component, and the power source.

67. The terminal of claim 66, wherein one potion of the clamshell housing supports a color LCD display and the audio I/O component, and the other potion supports the I/O component, which is a QWERTY keyboard.

68. The terminal of claim 66, further comprising a SIM card that stores user account information.

69. The terminal of claim 66, the transceiver subsystem communicates 850MHz and 1900MHz GSM/GPRS signals.

70. The terminal of claim 66, the memory caches user credentials that are used for authentication of the terminal to the network.

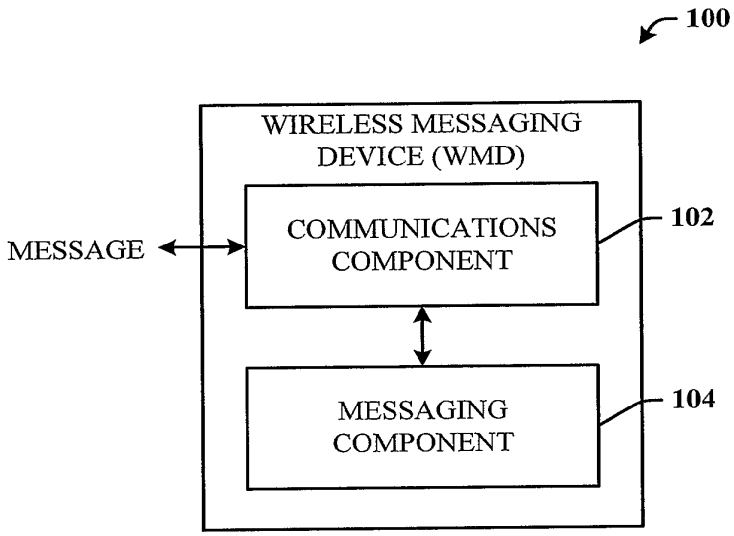

100
WIRELESS MESSAGING DEVICE (WMD)
COMMUNICATIONS COMPONENT
102
MESSAGE
MESSAGING COMPONENT
104

FIG. 1

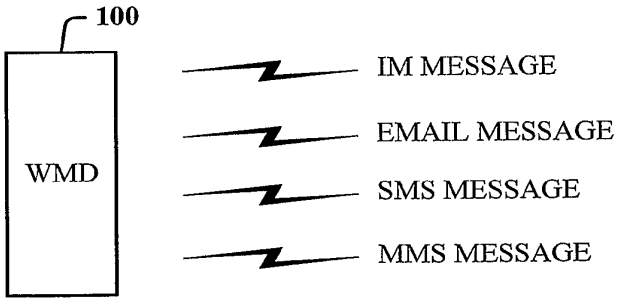

100
WMD
IM MESSAGE
EMAIL MESSAGE
SMS MESSAGE
MMS MESSAGE

FIG. 2

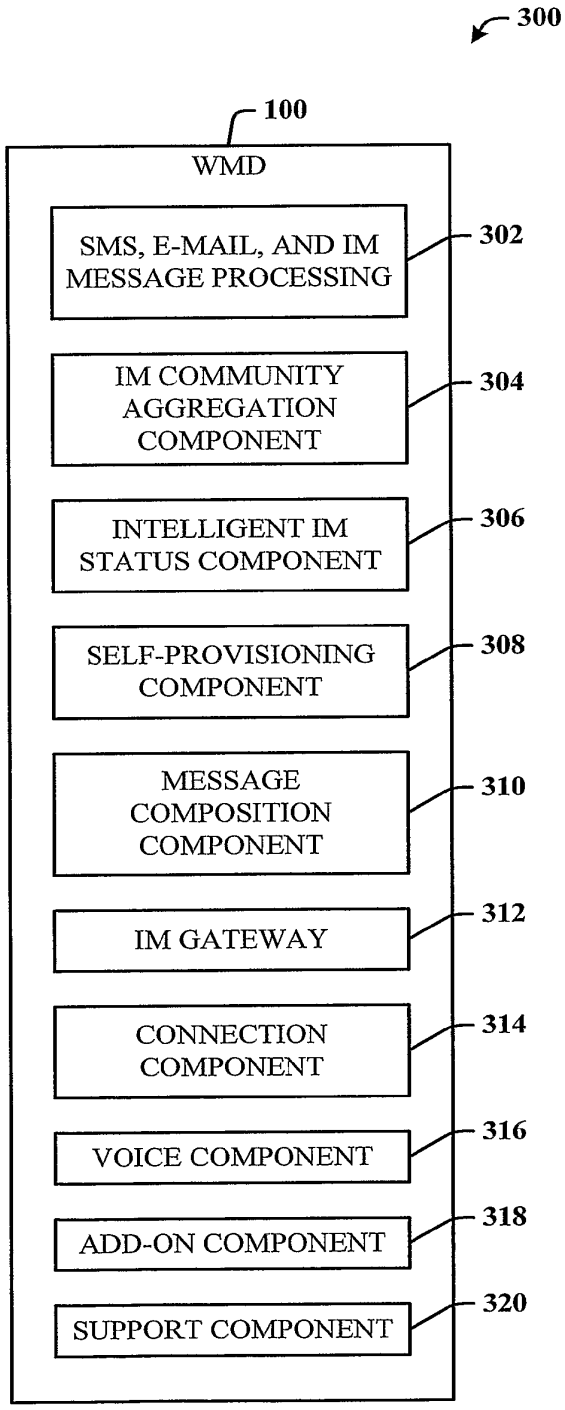

300
100
WMD
SMS, E-MAIL, AND IM MESSAGE PROCESSING
302
IM COMMUNITY AGGREGATION COMPONENT
304
INTELLIGENT IM STATUS COMPONENT
306
SELF-PROVISIONING COMPONENT
308
MESSAGE COMPOSITION COMPONENT
310
IM GATEWAY
312
CONNECTION COMPONENT
314
VOICE COMPONENT
316
ADD-ON COMPONENT
318
SUPPORT COMPONENT
320

FIG. 3

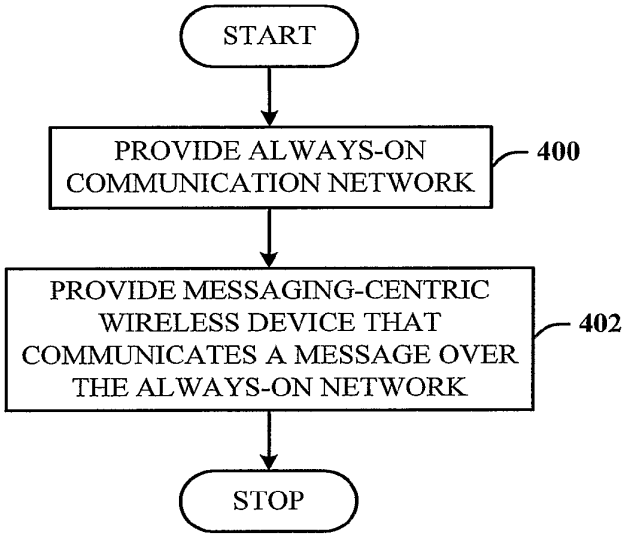

START
PROVIDE ALWAYS-ON COMMUNICATION NETWORK
400
PROVIDE MESSAGING-CENTRIC WIRELESS DEVICE THAT COMMUNICATES A MESSAGE OVER THE ALWAYS-ON NETWORK
402
STOP

FIG. 4

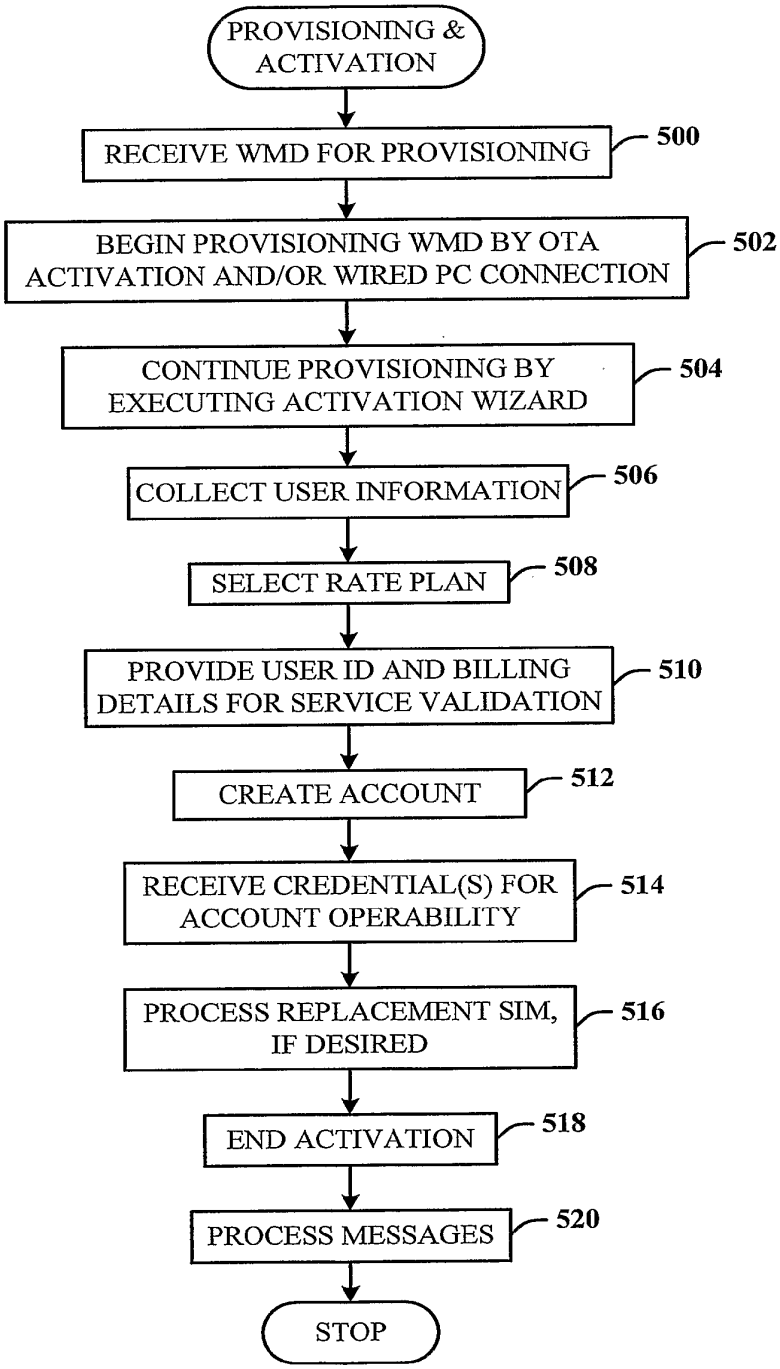

PROVISIONING & ACTIVATION
RECEIVE WMD FOR PROVISIONING
500
BEGIN PROVISIONING WMD BY OTA ACTIVATION AND/OR WIRED PC CONNECTION
502
CONTINUE PROVISIONING BY EXECUTING ACTIVATION WIZARD
504
COLLECT USER INFORMATION
506
SELECT RATE PLAN
508
PROVIDE USER ID AND BILLING DETAILS FOR SERVICE VALIDATION
510
CREATE ACCOUNT
512
RECEIVE CREDENTIAL(S) FOR ACCOUNT OPERABILITY
514
PROCESS REPLACEMENT SIM, IF DESIRED
516
END ACTIVATION
518
PROCESS MESSAGES
520
STOP

FIG. 5

4/35

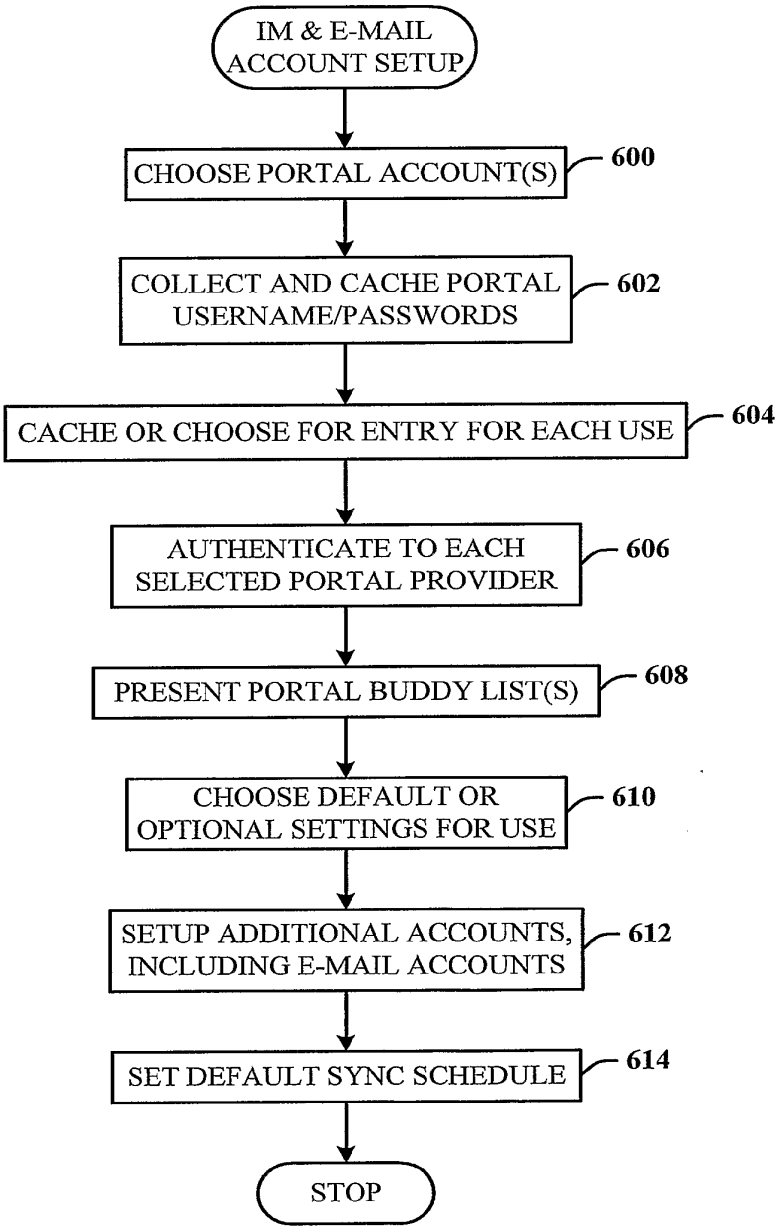

IM & E-MAIL ACCOUNT SETUP
CHOOSE PORTAL ACCOUNT(S)
600
COLLECT AND CACHE PORTAL USERNAME/PASSWORDS
602
CACHE OR CHOOSE FOR ENTRY FOR EACH USE
604
AUTHENTICATE TO EACH SELECTED PORTAL PROVIDER
606
PRESENT PORTAL BUDDY LIST(S)
608
CHOOSE DEFAULT OR OPTIONAL SETTINGS FOR USE
610
SETUP ADDITIONAL ACCOUNTS, INCLUDING E-MAIL ACCOUNTS
612
SET DEFAULT SYNC SCHEDULE
614
STOP

FIG. 6

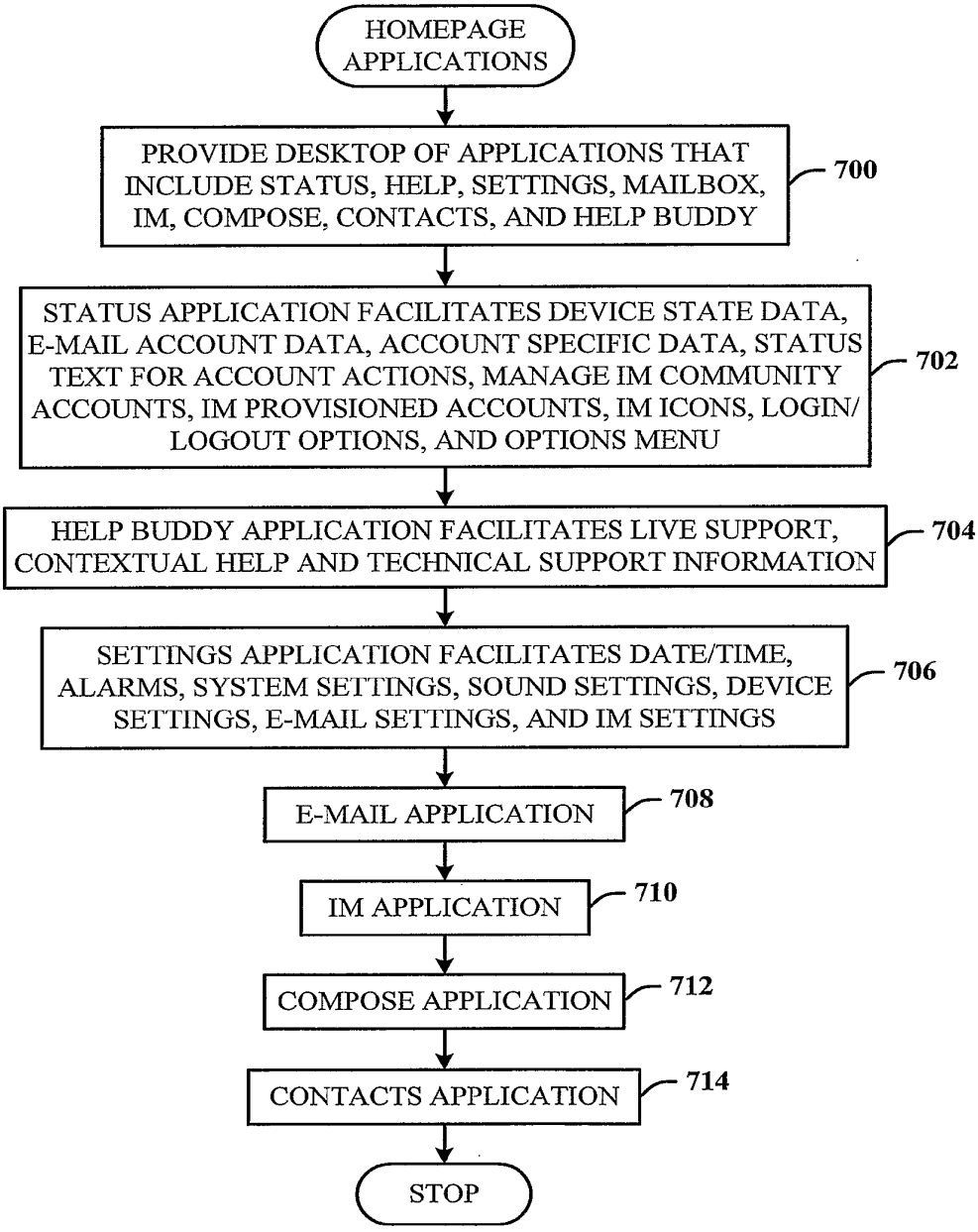

HOMEPAGE APPLICATIONS
PROVIDE DESKTOP OF APPLICATIONS THAT INCLUDE STATUS, HELP, SETTINGS, MAILBOX, IM, COMPOSE, CONTACTS, AND HELP BUDDY
700
STATUS APPLICATION FACILITATES DEVICE STATE DATA, E-MAIL ACCOUNT DATA, ACCOUNT SPECIFIC DATA, STATUS TEXT FOR ACCOUNT ACTIONS, MANAGE IM COMMUNITY ACCOUNTS, IM PROVISIONED ACCOUNTS, IM ICONS, LOGIN/ LOGOUT OPTIONS, AND OPTIONS MENU
702
HELP BUDDY APPLICATION FACILITATES LIVE SUPPORT, CONTEXTUAL HELP AND TECHNICAL SUPPORT INFORMATION
704
SETTINGS APPLICATION FACILITATES DATE/TIME, ALARMS, SYSTEM SETTINGS, SOUND SETTINGS, DEVICE SETTINGS, E-MAIL SETTINGS, AND IM SETTINGS
706
E-MAIL APPLICATION
708
IM APPLICATION
710
COMPOSE APPLICATION
712
CONTACTS APPLICATION
714
STOP

FIG. 7

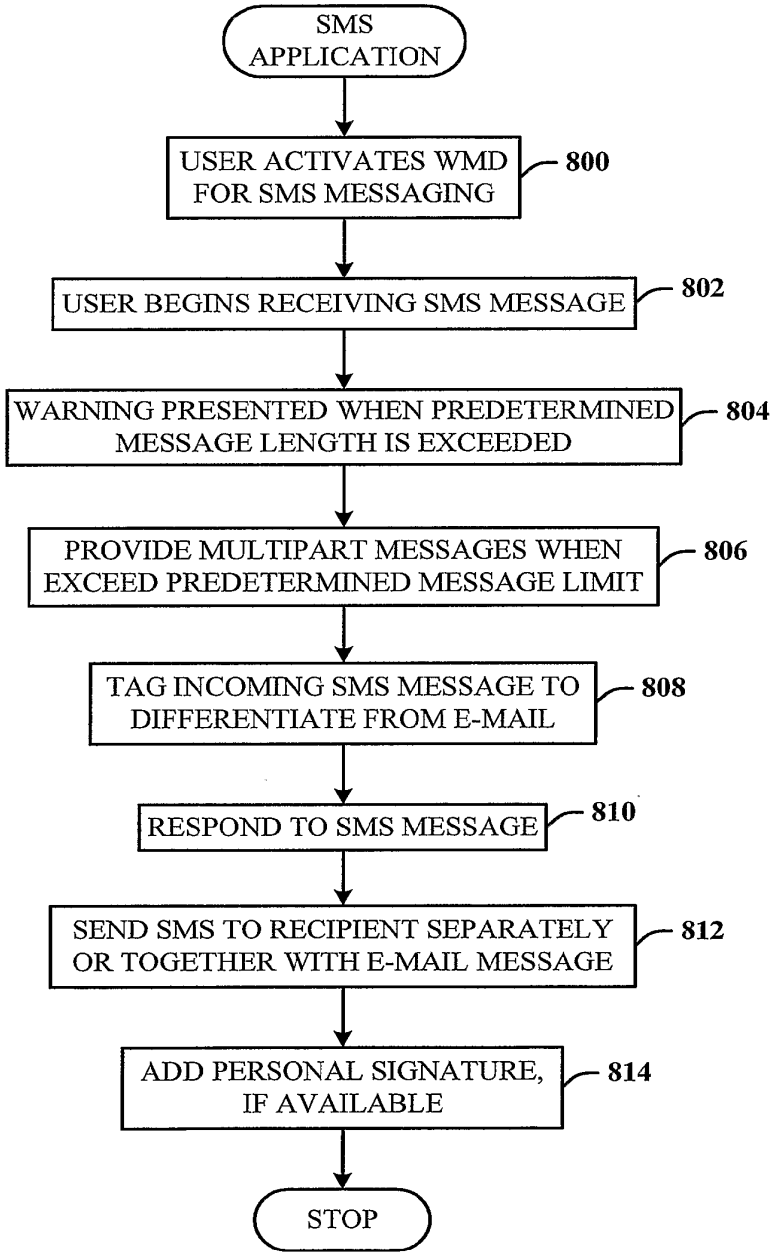

SMS APPLICATION
USER ACTIVATES WMD FOR SMS MESSAGING
800
USER BEGINS RECEIVING SMS MESSAGE
802
WARNING PRESENTED WHEN PREDETERMINED MESSAGE LENGTH IS EXCEEDED
804
PROVIDE MULTIPART MESSAGES WHEN EXCEED PREDETERMINED MESSAGE LIMIT
806
TAG INCOMING SMS MESSAGE TO DIFFERENTIATE FROM E-MAIL
808
RESPOND TO SMS MESSAGE
810
SEND SMS TO RECIPIENT SEPARATELY OR TOGETHER WITH E-MAIL MESSAGE
812
ADD PERSONAL SIGNATURE, IF AVAILABLE
814
STOP

FIG. 8

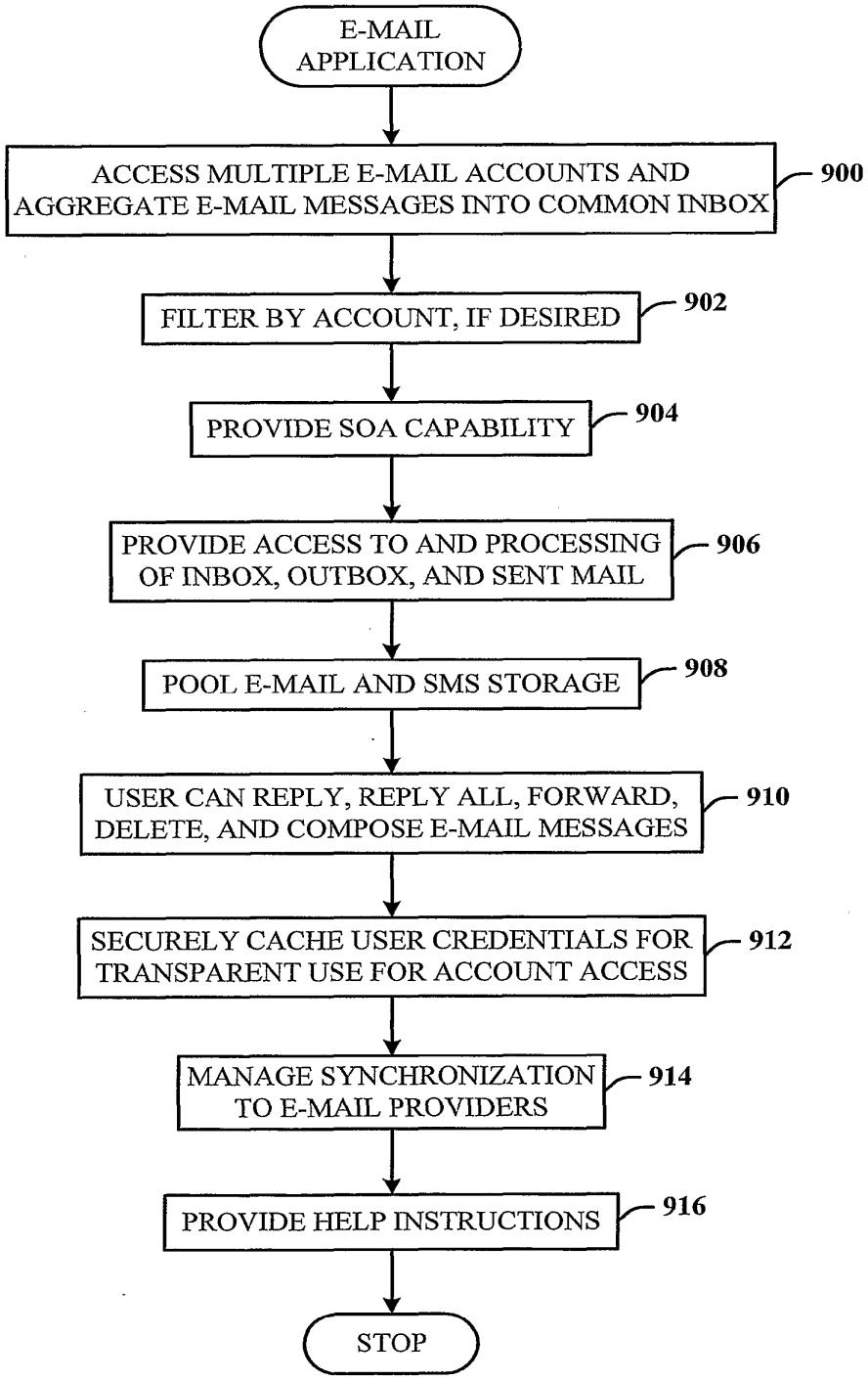

E-MAIL APPLICATION
ACCESS MULTIPLE E-MAIL ACCOUNTS AND AGGREGATE E-MAIL MESSAGES INTO COMMON INBOX
900
FILTER BY ACCOUNT, IF DESIRED
902
PROVIDE SOA CAPABILITY
904
PROVIDE ACCESS TO AND PROCESSING OF INBOX, OUTBOX, AND SENT MAIL
906
POOL E-MAIL AND SMS STORAGE
908
USER CAN REPLY, REPLY ALL, FORWARD, DELETE, AND COMPOSE E-MAIL MESSAGES
910
SECURELY CACHE USER CREDENTIALS FOR TRANSPARENT USE FOR ACCOUNT ACCESS
912
MANAGE SYNCHRONIZATION TO E-MAIL PROVIDERS
914
PROVIDE HELP INSTRUCTIONS
916
STOP

FIG. 9

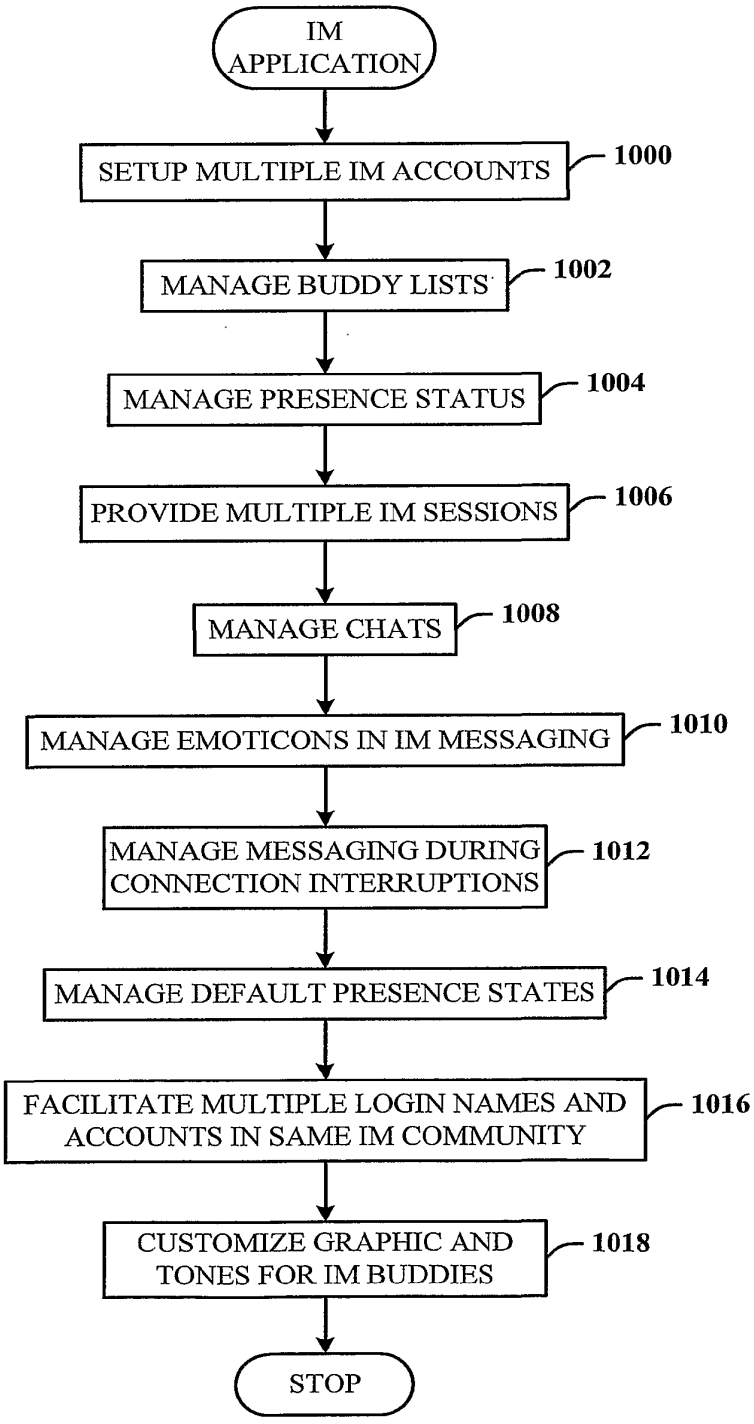

IM APPLICATION
SETUP MULTIPLE IM ACCOUNTS
1000
MANAGE BUDDY LISTS
1002
MANAGE PRESENCE STATUS
1004
PROVIDE MULTIPLE IM SESSIONS
1006
MANAGE CHATS
1008
MANAGE EMOTICONS IN IM MESSAGING
1010
MANAGE MESSAGING DURING CONNECTION INTERRUPTIONS
1012
MANAGE DEFAULT PRESENCE STATES
1014
FACILITATE MULTIPLE LOGIN NAMES AND ACCOUNTS IN SAME IM COMMUNITY
1016
CUSTOMIZE GRAPHIC AND TONES FOR IM BUDDIES
1018
STOP

FIG. 10

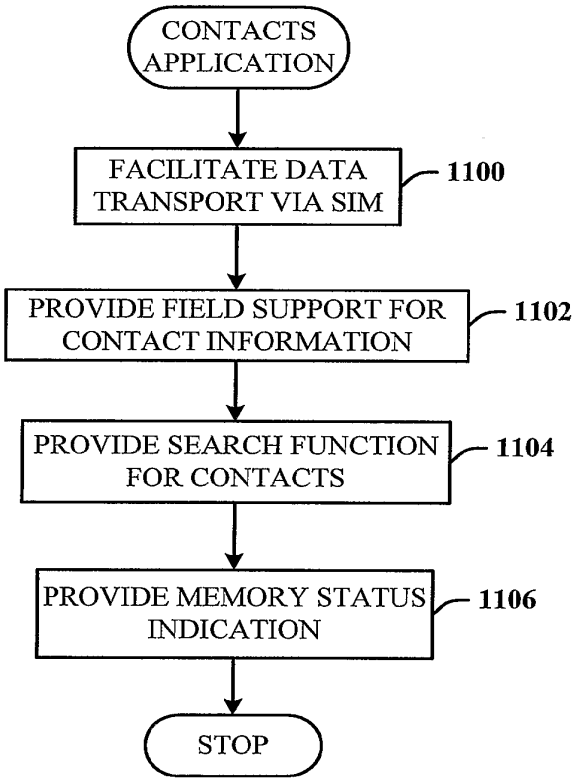

CONTACTS APPLICATION
FACILITATE DATA TRANSPORT VIA SIM
1100
PROVIDE FIELD SUPPORT FOR CONTACT INFORMATION
1102
PROVIDE SEARCH FUNCTION FOR CONTACTS
1104
PROVIDE MEMORY STATUS INDICATION
1106
STOP

FIG. 11

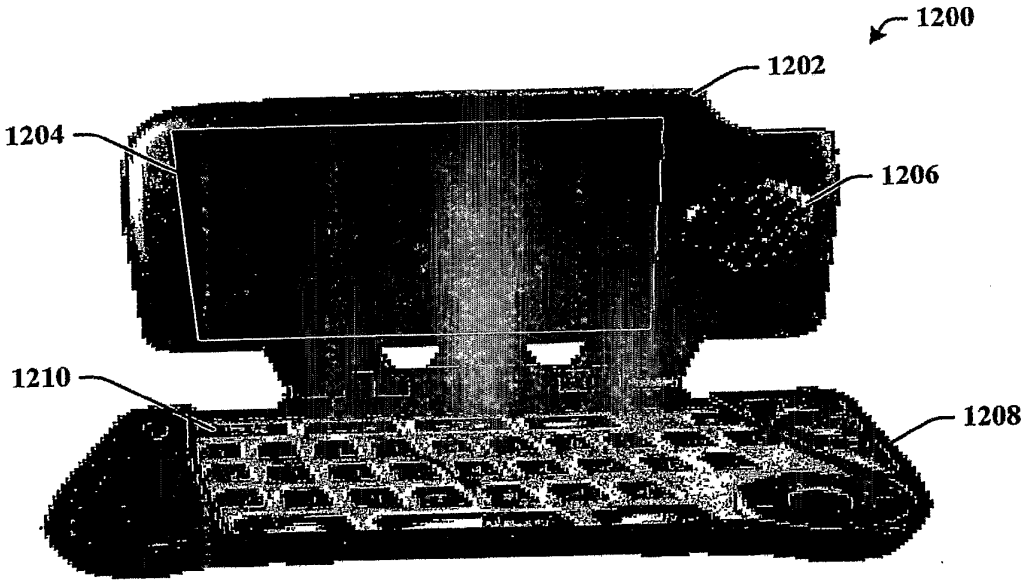


FIG. 12

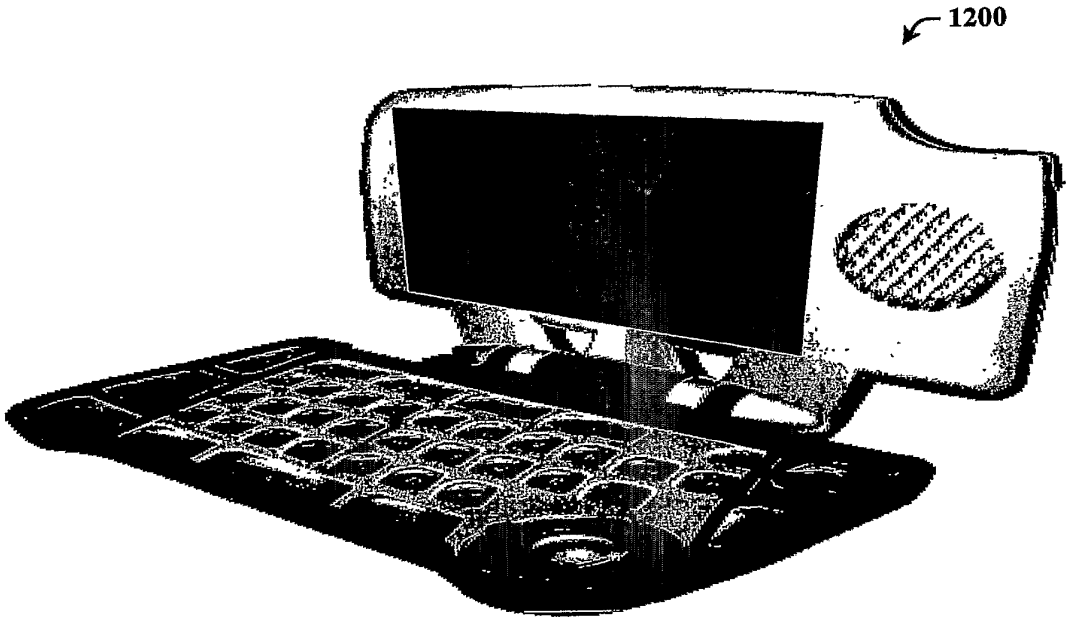


FIG. 13

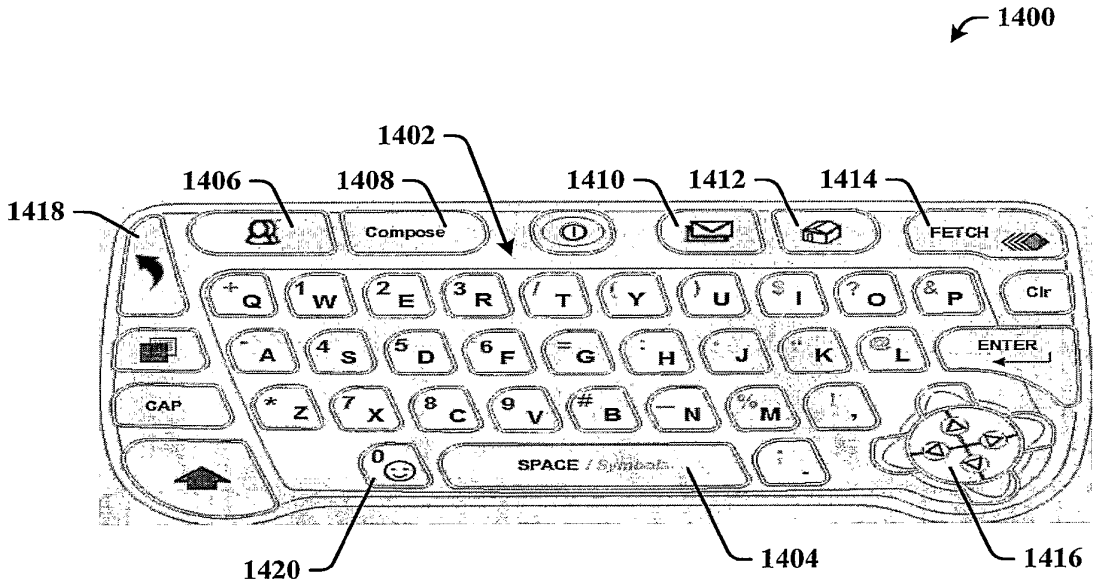

1400
1402
1406
1408
1410
1412
1414
1418
Compose
FETCH
Clr
ENTER
CAP
SPACE
1420
1404
1416

FIG. 14

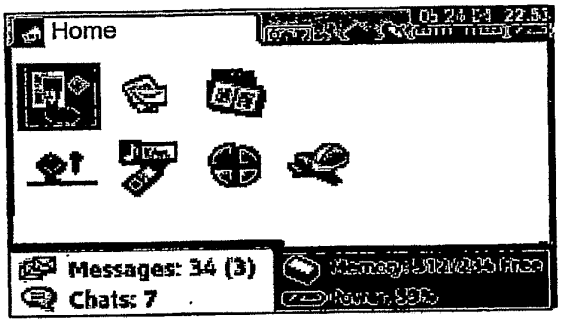


FIG. 15

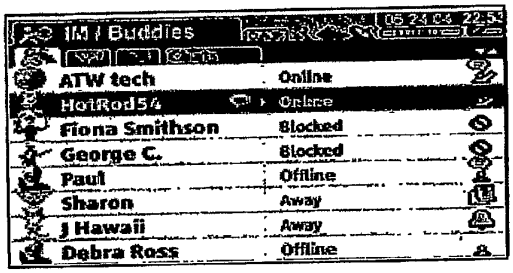


FIG. 16

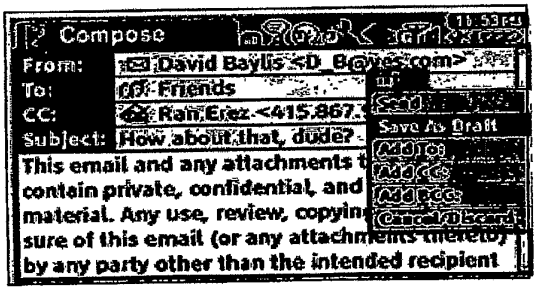


FIG. 17

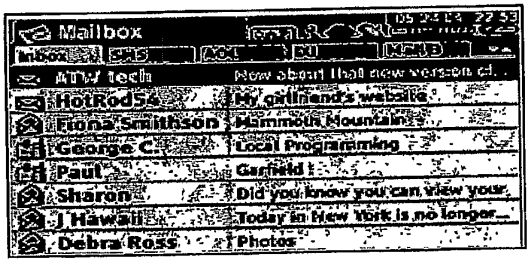


FIG. 18

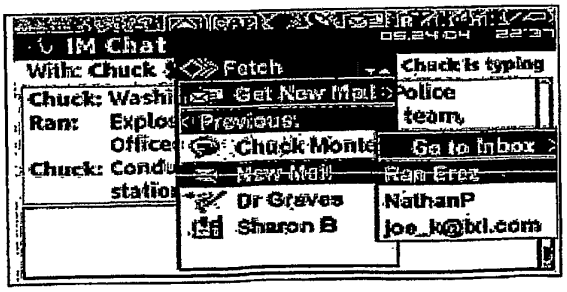


FIG. 19

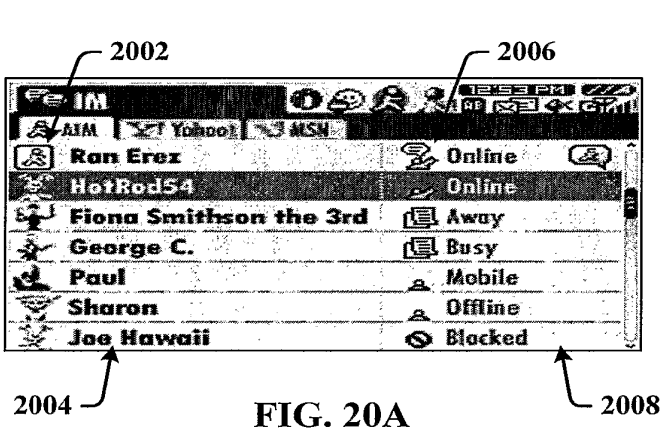


FIG. 20A

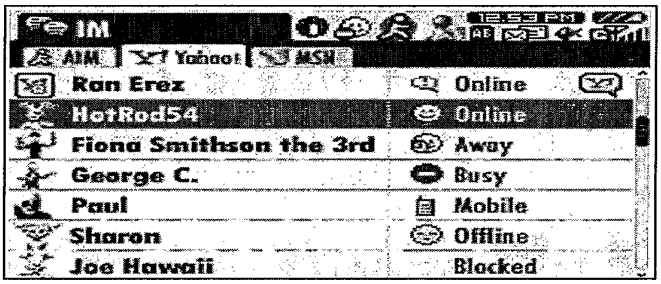


FIG. 20B

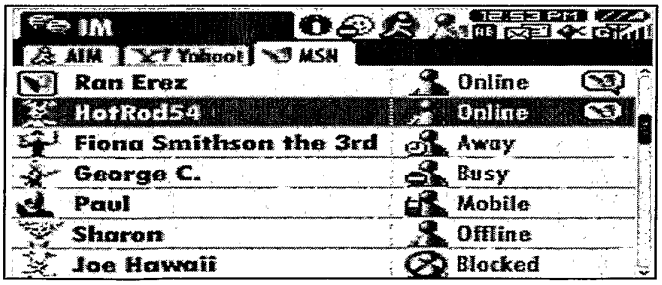


FIG. 20C

AIM Icons

If this situation:	Use this icon:
"Conversation" section	
• Online	
• Online + New IM	
• Offline	
• Offline + New IM	
"Online" section	
• Online	
• Online + Away	
• Online + Alert	
• Online + Away + Alert	
"Offline" section	
• Offline	
• Offline + Away	
• Offline + Blocked	
• Offline + Alert + Blocked	
• Online + Blocked	
• Online + Away + Blocked	
• Online + Alert + Blocked	
• Online + Away + Alert + Blocked	

FIG. 21A

FIG. 21B

Available	
Away	
Idle	
Mobile	
Offline	

FIG. 21C

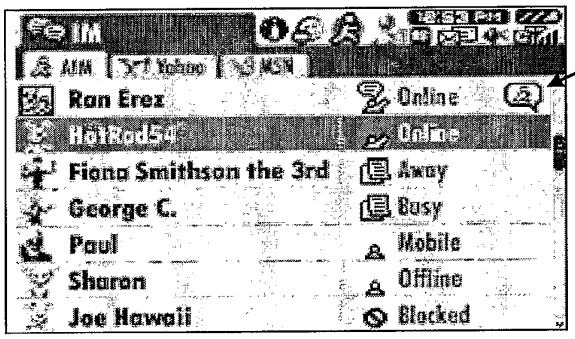


FIG. 22A

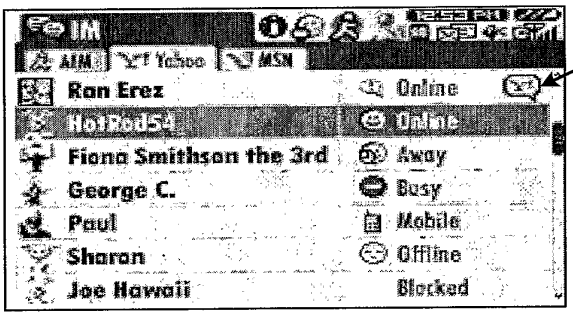


FIG. 22B

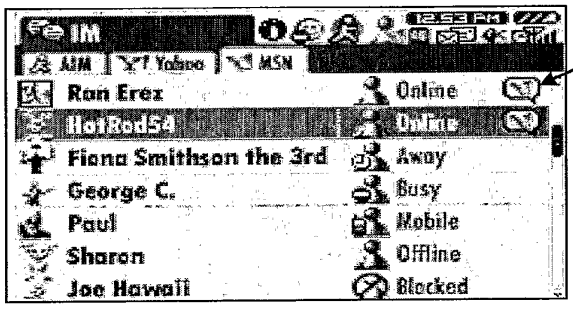


FIG. 22C

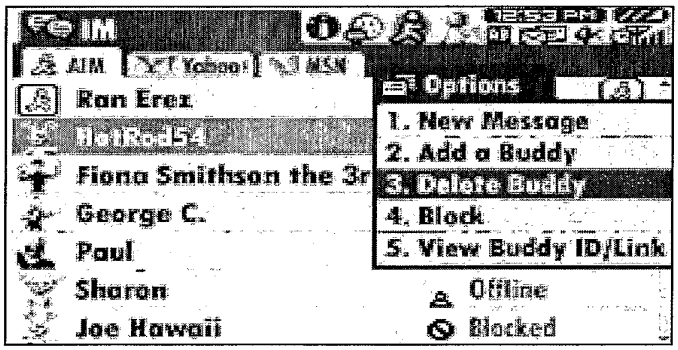


FIG. 23A

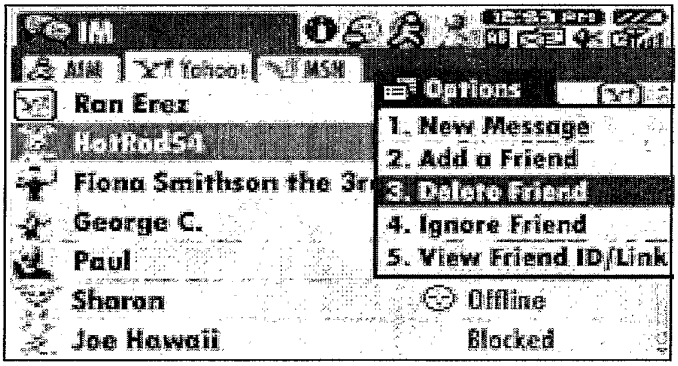


FIG. 23B

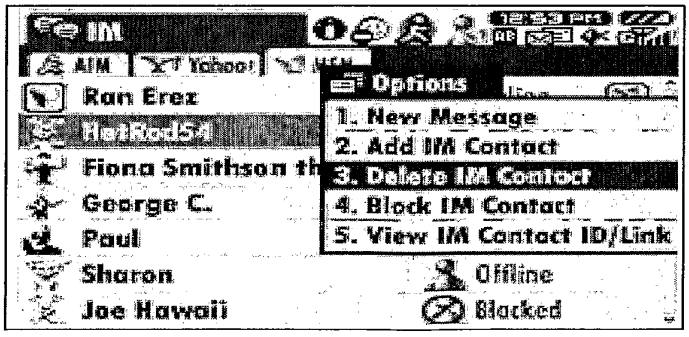


FIG. 23C

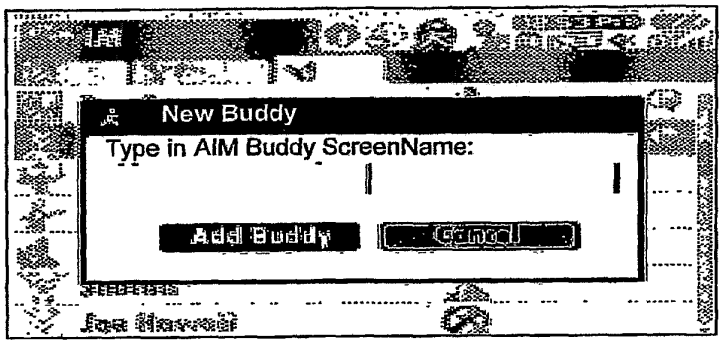


FIG. 23D

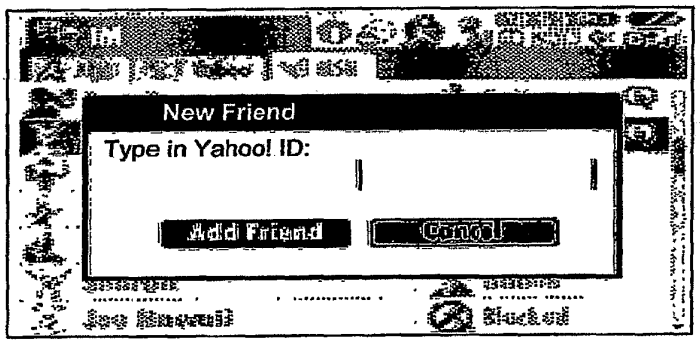


FIG. 23E

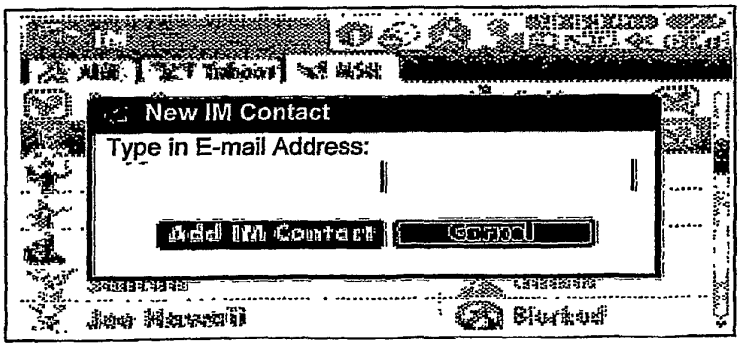


FIG. 23F

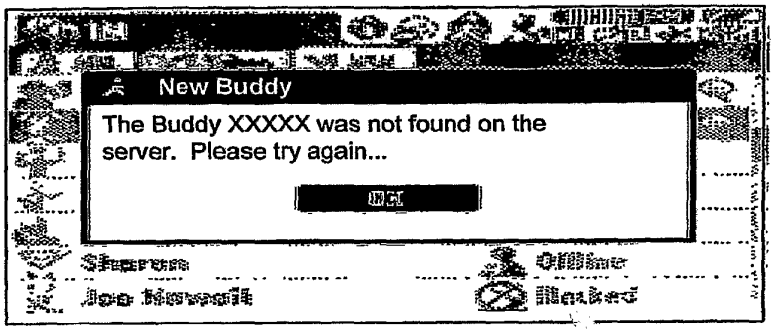


FIG. 23G

FIG. 23H

FIG. 23I

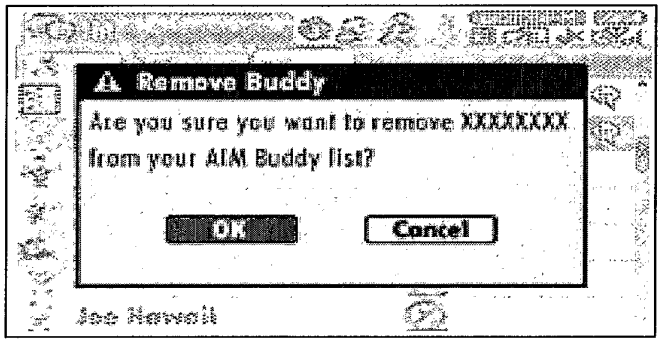


FIG. 23J

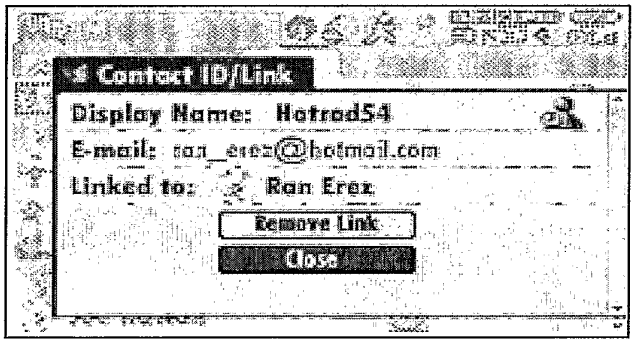


FIG. 23K

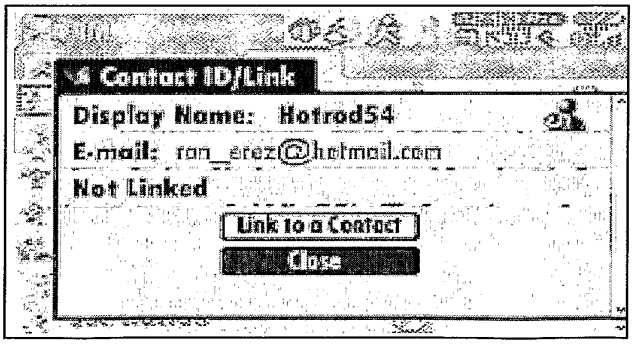


FIG. 23L

FIG. 23M

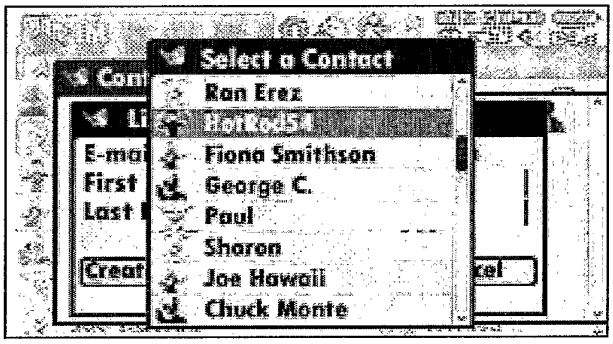


FIG. 23N

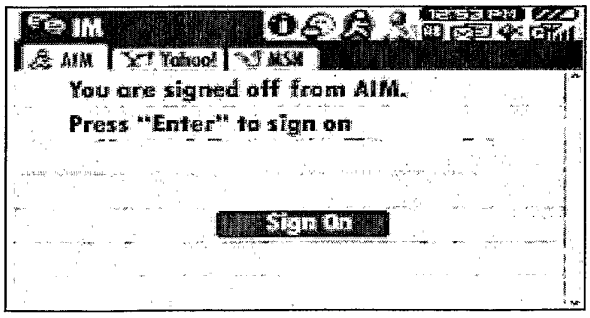


FIG. 23O

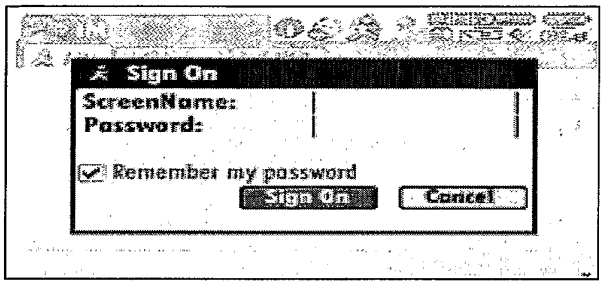


FIG. 23P

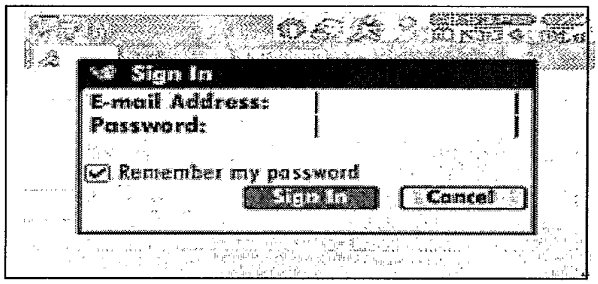


FIG. 23Q

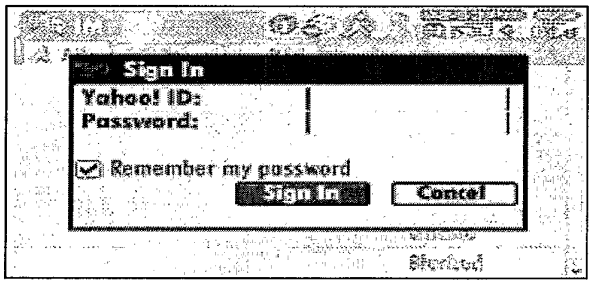


FIG. 23R

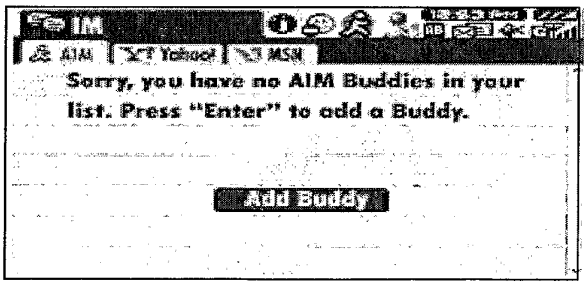


FIG. 23S

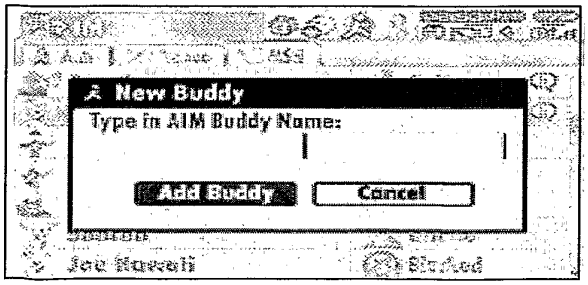


FIG. 23T

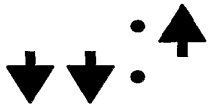
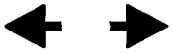
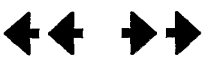
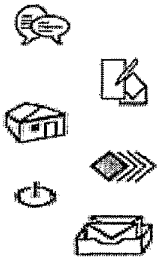
KEYBOARD KEY CONTROLS AND FUNCTIONS		
CONTROL NAME	CONTROL SYMBOL OR ICON	DESCRIPTION
UP/DOWN DIRECTION NAVIGATION BUTTONS		SCROLL UP/DOWN, ONE LINE AT A TIME; LONG PRESS SCROLLS FAST UP/DOWN, ONE LINE AT A TIME; SCROLLING ABOVE THE FIRST LINE OR BELOW LAST LINE SOUNDS ERROR SOUND
PAGE UP/DOWN CONTROLS		ONE PRESS UP – PAGE UP; ONE PRESS DOWN – PAGE DOWN; ONE MORE PRESS UP OR DOWN AFTER REACHING TOP OR BOTTOM – SOUND ERROR SOUND
LEFT/RIGHT DIRECTION NAVIGATION DIAL BUTTONS		MMI CURSOR ACTIONS
TAB NAVIGATION LEFT/ RIGHT CONTROLS		MOVES BETWEEN COMMUNITY TABS
OPTION MENU		OPEN IM OPTIONS; A SECOND PRESS CLOSES MENU
ANY LETTER KEY		PERFORMS SMART SEARCH FOR IM BUDDY NICKNAME
CLEAR KEY		REMOVES BUDDY, OPENING CONFIRMATION POPUP
EMOTICONS BUTTON		NO ACTION
ENTER BUTTON		START CHAT/COMPOSE MESSAGE; POPUP SELECTIONS
OTHER FUNCTION BUTTONS (CHAT/ COMPOSE/HOME/FETCH/ POWER-QUICK SETTINGS		OPENS TO THE CORRESPONDING SCREEN/ POPUP
UP		CLOSES POPUPS OR OPENS HOME SCREEN

FIG. 24

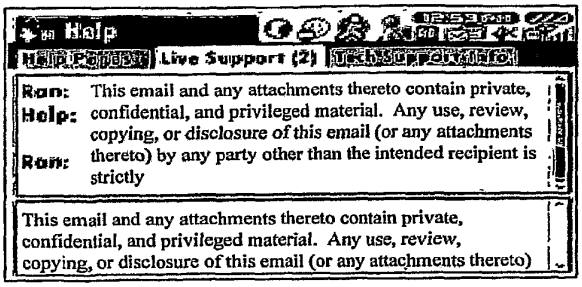


FIG. 25A

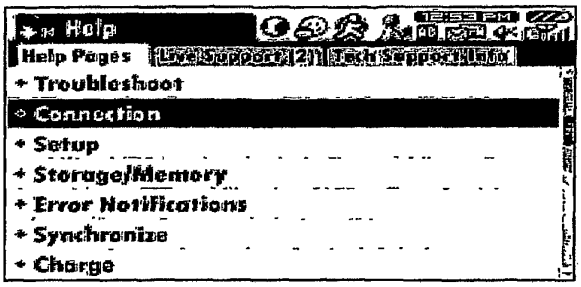


FIG. 25B

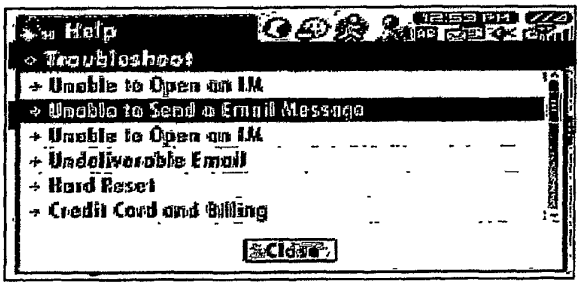


FIG. 25C

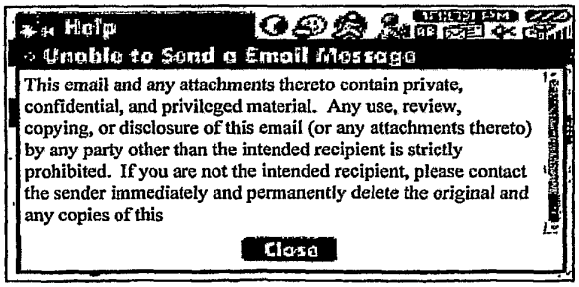


FIG. 25D

FIG. 25E

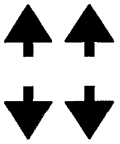
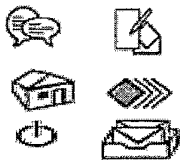
KEYBOARD KEY CONTROLS AND FUNCTIONS		
CONTROL NAME	CONTROL SYMBOL OR ICON	DESCRIPTION
UP/DOWN DIRECTION NAVIGATION BUTTONS		SCROLL UP/DOWN, ONE LINE AT A TIME; LONG PRESS AUTO SCROLLS FAST UP/ DOWN, ONE LINE AT A TIME; SCROLLING ABOVE THE FIRST LINE OR BELOW LAST LINE SOUNDS ERROR SOUND
PAGE UP/DOWN CONTROLS		SCROLL PER PAGE UP OR DOWN WHERE APPLICABLE; IN HELP TOPIC DETAIL, LONG PRESS DOWN IMMEDIATELY HIGHLIGHTS CLOSE BUTTON OF HELP PAGE POPUP; LONG PRESS UP IMMEDIATELY SHOWS FIRST FULL-SCREEN PAGE VIEW
LEFT/RIGHT DIRECTION NAVIGATION DIAL BUTTONS		CURSOR ACTIONS IN LIVE SUPPORT
TAB NAVIGATION LEFT/ RIGHT CONTROLS		MOVES BETWEEN HELP TABS
OPTION MENU		NO ACTION
ANY LETTER KEY		TYPES TEXT IN TEXT FIELD (LIVE SUPPORT)
CLEAR KEY		ONLY IN LIVE SUPPORT- CLEARS LAST TYPED CHARACTER; LONG PRESS CLEARS ALL TEXT IN ENTER TEXT FIELD
EMOTICONS BUTTON		OPENS EMOTICONS PALETTE IN LIVE SUPPORT
ENTER BUTTON		SEND MESSAGE IN LIVE SUPPORT; OPENS/ CLOSES HELP PAGE
OTHER FUNCTION BUTTONS (CHAT/ COMPOSE/HOME/FETCH/ POWER-QUICK SETTINGS		OPENS TO THE CORRESPONDING SCREEN/ POPUP
UP		CLOSES HELP SECTION OR HELP PAGE POPUP AND DISPLAY PREVIOUSLY DISPLAYED HELP SCREEN WITH HOME SCREEN BEING TOP LEVEL AFTER TOP LEVEL HELP SCREEN

FIG. 26

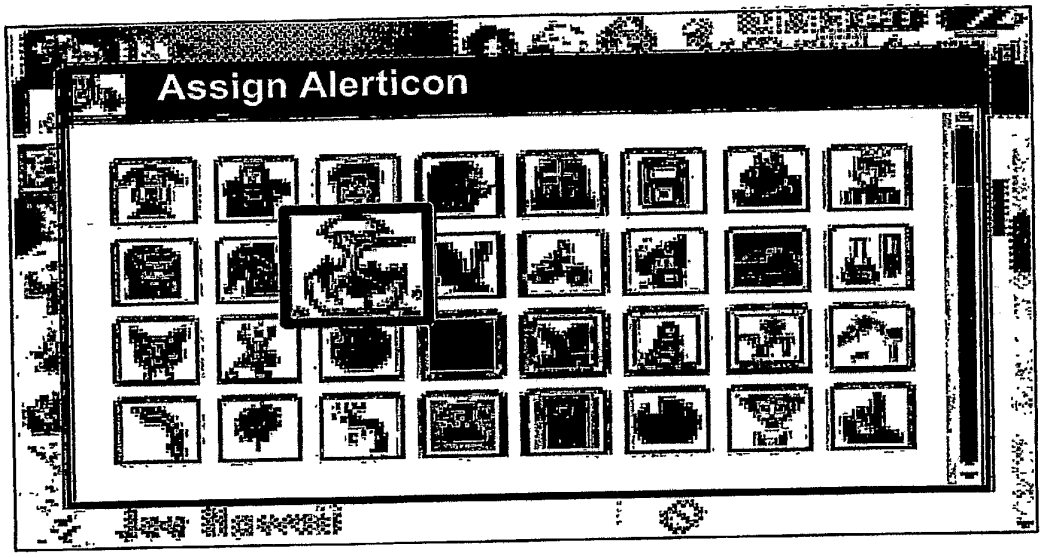


FIG. 27

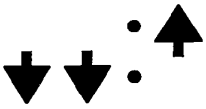
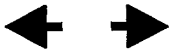
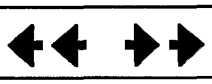
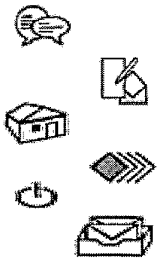
KEYBOARD KEY CONTROLS AND FUNCTIONS		
CONTROL NAME	CONTROL SYMBOL OR ICON	DESCRIPTION
UP/DOWN DIRECTION NAVIGATION BUTTONS		MOVES HIGHLIGHT UP/DOWN, ONE LINE AT A TIME; LONG PRESS SCROLLS FAST UP/DOWN, ONE LINE AT A TIME; SCROLLING ABOVE FIRST LINE OR BELOW LAST LINE SOUNDS ONE ERROR SOUND
PAGE UP/DOWN CONTROLS		SCROLLS TO PAGE UP/DOWN IN PALETTE; SCROLLING ABOVE FIRST LINE OR BELOW LAST LINE SOUNDS ONE ERROR SOUND
LEFT/RIGHT DIRECTION NAVIGATION DIAL BUTTONS		SCROLL SELECTION LEFT/RIGHT; SCROLL IS CIRCULAR
TAB NAVIGATION LEFT/ RIGHT CONTROLS		MOVES SELECTION TO RIGHTMOST OR LEFTMOST IN LINE
OPTION MENU		NO ACTION
ANY LETTER KEY		NO ACTION
CLEAR KEY		NO ACTION
EMOTICONS BUTTON		NO ACTION
ENTER BUTTON		INSERTS/SELECTS ITEM
OTHER FUNCTION BUTTONS (CHAT/ COMPOSE/HOME/FETCH/ POWER-QUICK SETTINGS		ACTION WHEN ALERTICON PALETTE IS IN VIEW; CLOSE PALETTE AND PRESENT CONTACT PROFILE "SAVE CHANGES" POPUP NOTIFICATION
UP		CLOSES PALETTE

FIG. 28

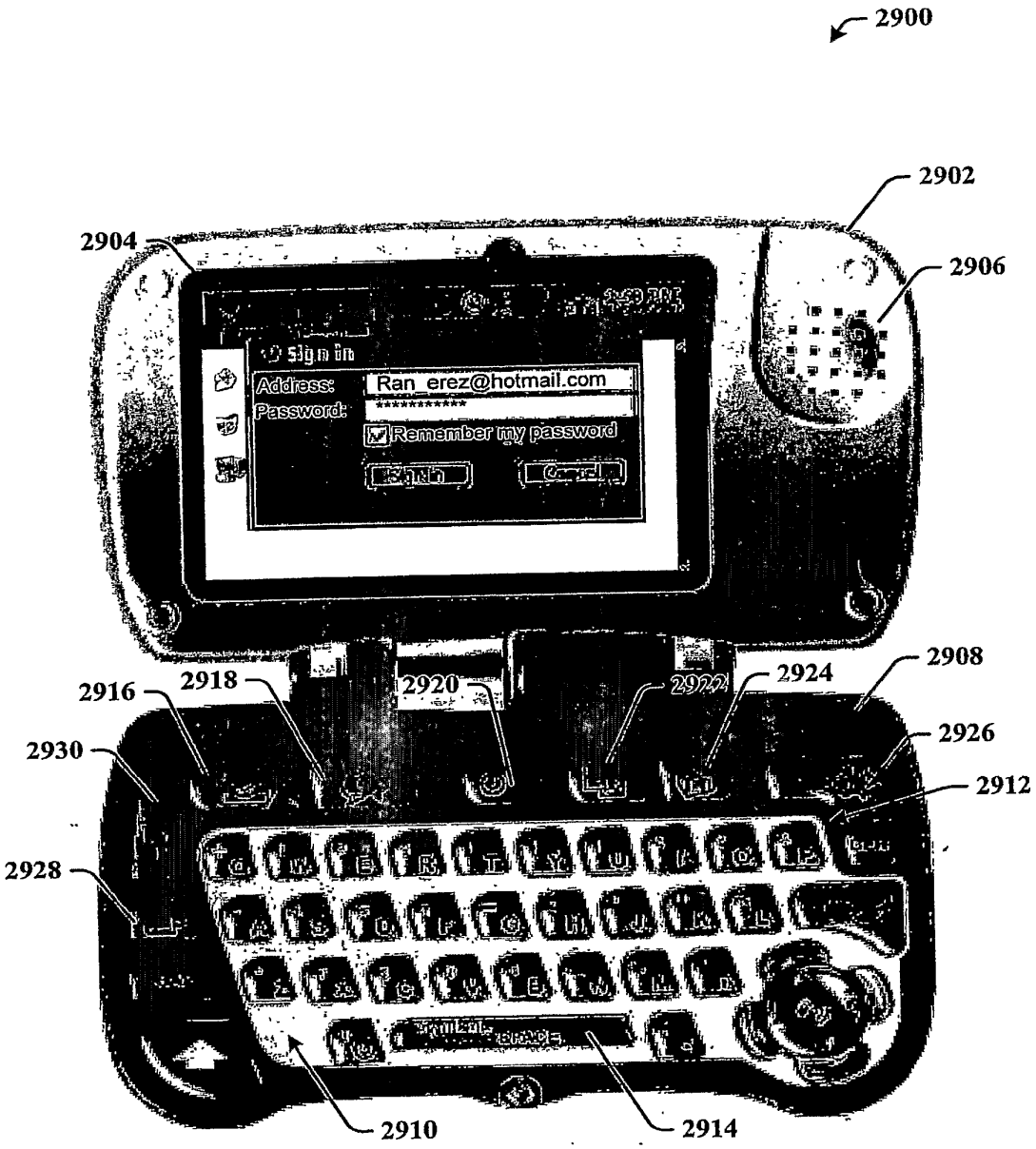

2900
2902
2904
2906
Sign in
Address:
Ran_erez@hotmail.com
Password:
Remember my password
2908
2916
2918
2920
2922
2924
2926
2930
2912
2928
2910
2914

FIG. 29

Mailbox
IM
Compose
Contacts
Status
Profile
Settings
Support

FIG. 30

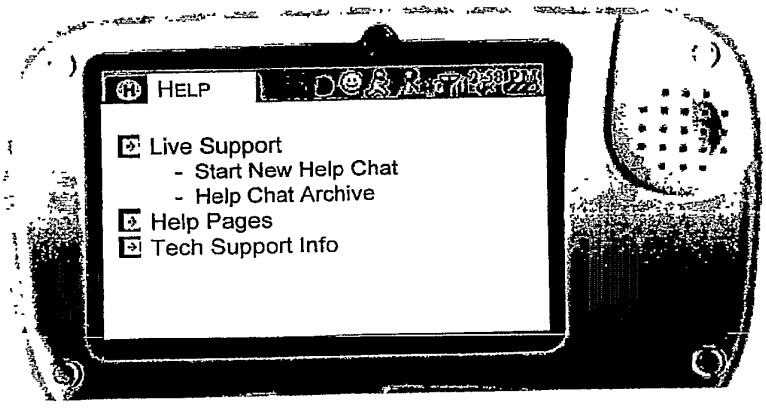

HELP
Live Support
- Start New Help Chat
- Help Chat Archive
Help Pages
Tech Support Info

FIG. 31

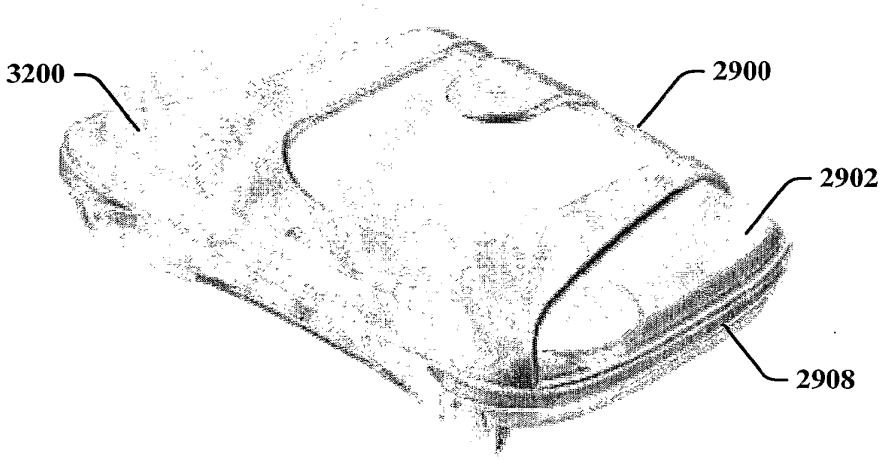

3200
2900
2902
2908

FIG. 32

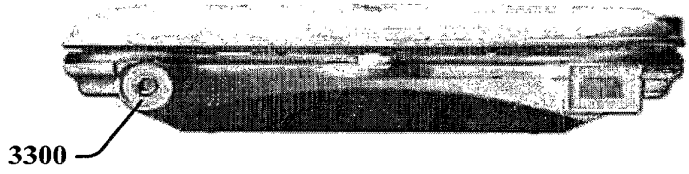
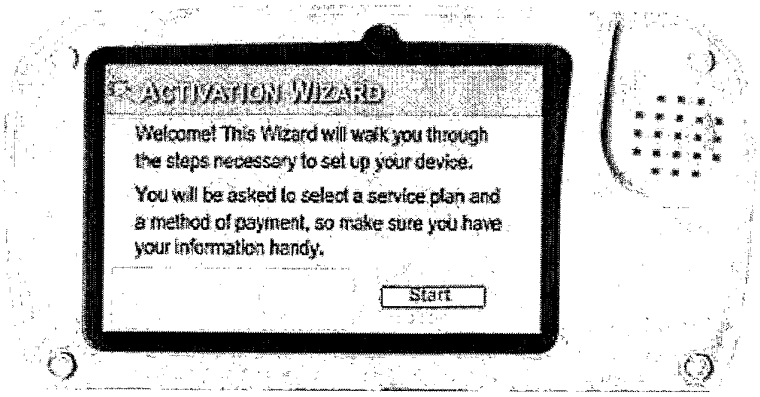

3300

FIG. 33


ACTIVATION WIZARD
Welcome! This Wizard will walk you through the steps necessary to set up your device.
You will be asked to select a service plan and a method of payment, so make sure you have your information handy.
Start

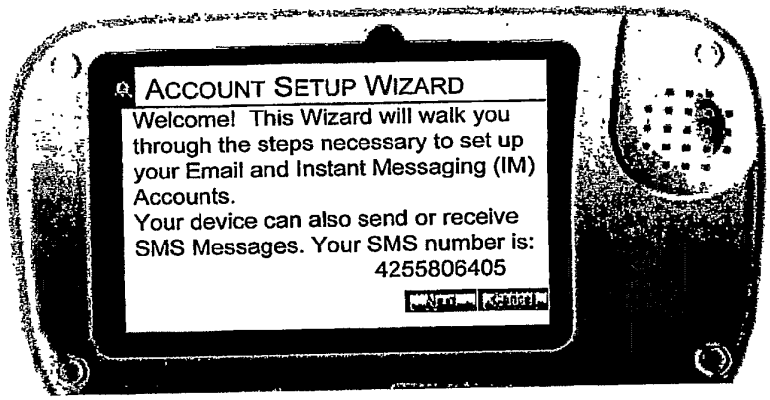


FIG. 35

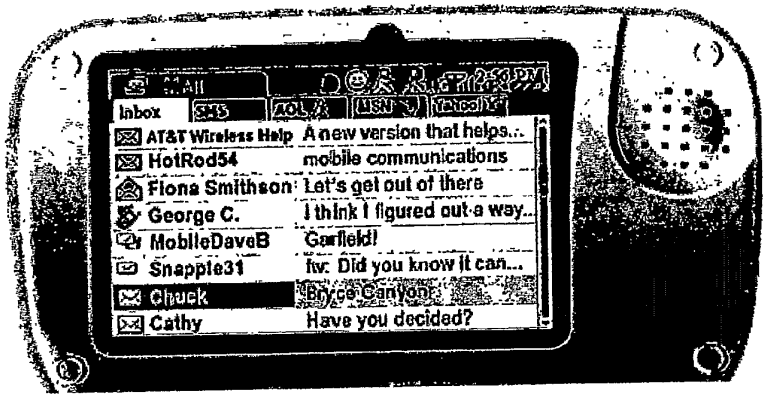


FIG. 36

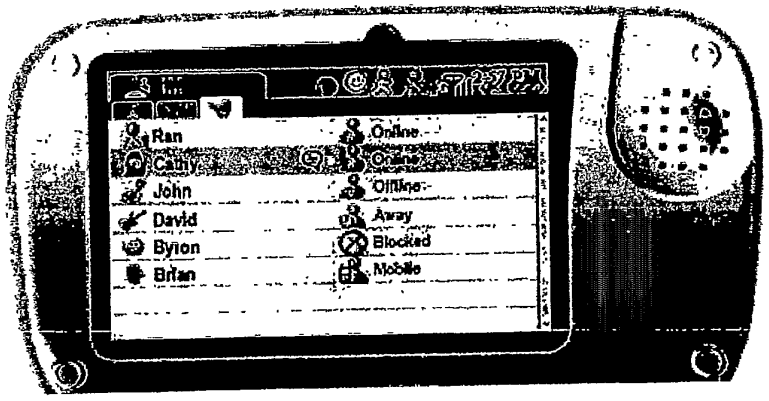


FIG. 37

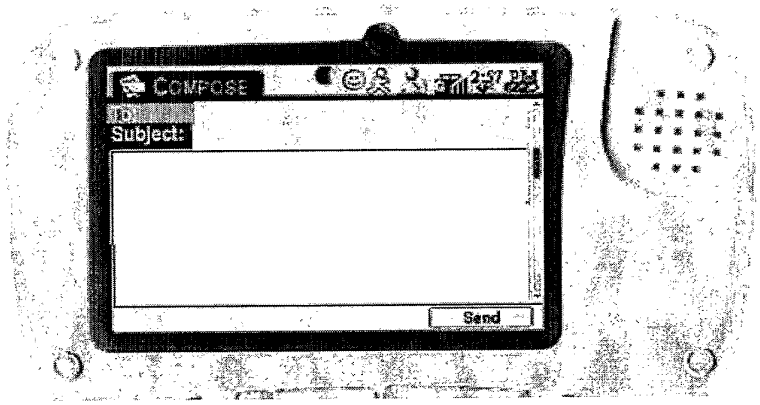

COMPOSE
2:37 PM
To:
Subject:
Send

FIG. 38

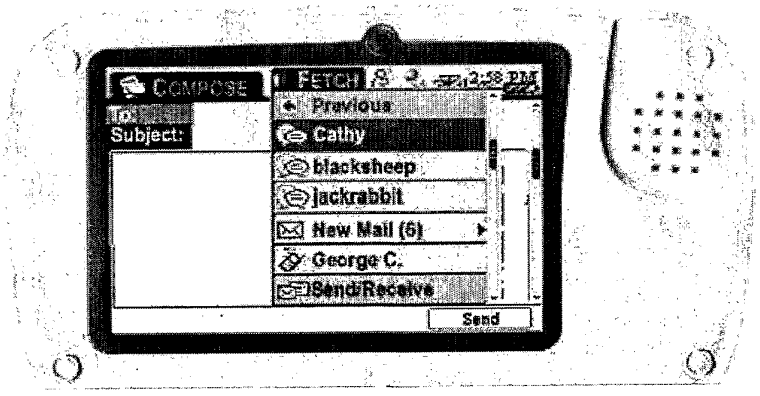

COMPOSE
FETCH
2:38 PM
To:
Subject:
Previous
Cathy
blacksheep
jackrabbit
New Mail (6)
George C.
Send/Receive
Send

FIG. 39

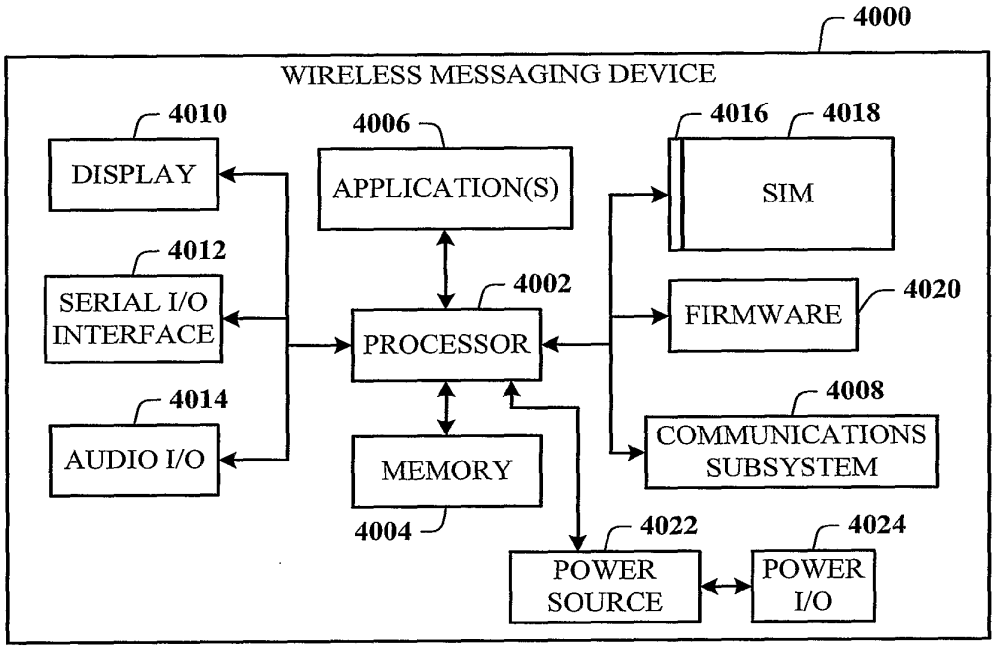

4000
WIRELESS MESSAGING DEVICE
4010
DISPLAY
4006
APPLICATION(S)
4016
4018
SIM
4012
SERIAL I/O INTERFACE
4002
PROCESSOR
FIRMWARE
4020
4014
AUDIO I/O
MEMORY
4004
4008
COMMUNICATIONS SUBSYSTEM
4022
4024
POWER SOURCE
POWER I/O

FIG. 40

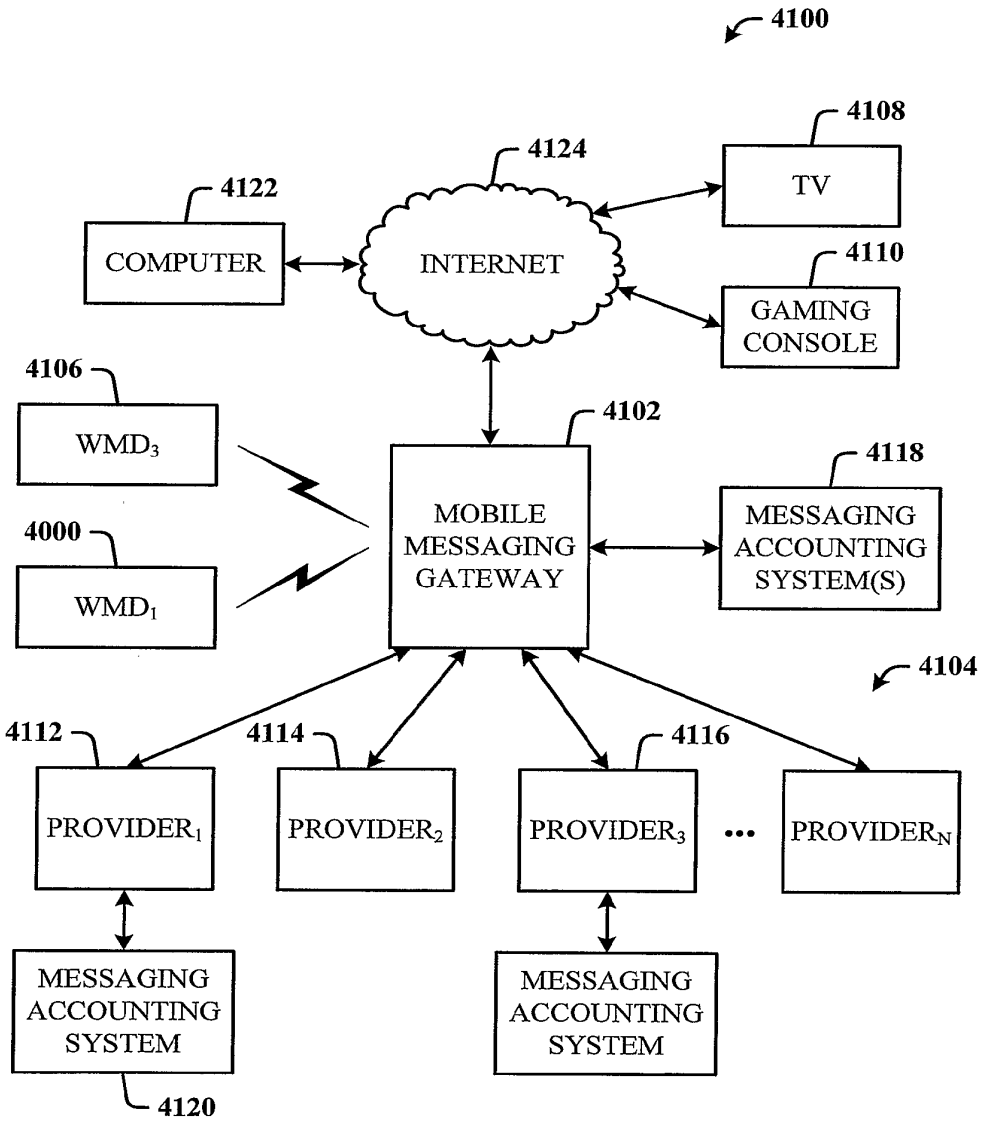

4100
4108
TV
4124
4122
COMPUTER
INTERNET
4110
GAMING CONSOLE
4106
WMD3
4102
4118
MOBILE MESSAGING GATEWAY
MESSAGING ACCOUNTING SYSTEM(S)
4000
WMD1
4104
4112
4114
4116
PROVIDER1
PROVIDER2
PROVIDER3
...
PROVIDERN
MESSAGING ACCOUNTING SYSTEM
MESSAGING ACCOUNTING SYSTEM
4120

FIG. 41

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 138280	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/AU2008/001043	International filing date *(day/month/year)* 18 July 2008 (18.07.2008)	Priority date *(day/month/year)* 24 July 2007 (24.07.2007)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant MESSMO TECHNOLOGIES PTY LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 26 January 2010 (26.01.2010)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Dorothée Mülhausen e-mail: pt01.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

F B Rice & Co
Level 23
44 Market Street
SYDNEY NSW 2000

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)* 19 SEP 2008
Applicant's or agent's file reference 138280	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/AU2008/001043	18 July 2008	24 July 2007

International Patent Classification (IPC) or both national classification and IPC
Int. Cl.

H04Q 7/22 (2006.01)

Applicant

MESSMO TECHNOLOGIES PTY LIMITED et al

1. This opinion contains indications relating to the following items:

[X]	Box No. I	Basis of the opinion
[ ]	Box No. II	Priority
[ ]	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
[ ]	Box No. IV	Lack of unity of invention
[X]	Box No. V	Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
[ ]	Box No. VI	Certain documents cited
[ ]	Box No. VII	Certain defects in the international application
[ ]	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA	Date of completion of this opinion	Authorized Officer
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999		**RICHARD REED** AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61 2 6283 7927

Form PCT/ISA/237 (Cover sheet) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2008/001043

Box No. I Basis of this opinion

1. With regard to the **language,** this opinion has been established on the basis of:

   [X] The international application in the language in which it was filed

   [ ] A translation of the international application into, , which is the language of a translation furnished for the purposes of international search (under Rules 12.3(a) and 23.1(b)).

2. [ ] This opinion has been established taking into account **the rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

   a. type of material

      [ ] a sequence listing

      [ ] table(s) related to the sequence listing

   b. format of material

      [ ] on paper

      [ ] in electronic form

   c. time of filing/furnishing

      [ ] contained in the international application as filed.

      [ ] filed together with the international application in electronic form.

      [ ] furnished subsequently to this Authority for the purposes of search.

4. [ ] In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2008/001043

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	**4, 5, 6, 9 to 12, 14, 15, and 17 to 23**	**YES**
	Claims	**1 to 3, 7, 8, 13, 16**	**NO**
Inventive step (IS)	Claims	**None**	**YES**
	Claims	**1 to 23**	**NO**
Industrial applicability (IA)	Claims	**1 to 23**	**YES**
	Claims	**None**	**NO**

2. Citations and explanations:

The associated International Search Report cites:

D1 = US 6678524 B1 (HANSSON et al) 13 January 2004.

Column 1 lines 33 to 55, column 1 line 58 to column 2 line 8, column 3 lines 22 to 28, column 3 line 52 to column 6 line 63.

D2 = US 2002/0077131 A1 (MIZELL et al) 20 June 2002.

Paragraphs 8, 9, 16, 17, 18 20, 21 and 34 to 63.

Novelty

Both D1 and D2 teach the invention of claims 1 to 3, . In this respect the term "wireless device" is interpreted broadly and is not restricted to mean a "mobile station" or "user equipment". The significance of this is that in both D1 and D2 decision and processing to forward SMS messages by packet-switched bearer or SMS bearer is not conducted within the mobile station. See the indicated passages of D1 and D2 generally and note that below reference is made to particular parts of D1 and D2 on the understanding the other indicated parts will also be considered.

Both relate to messaging service on a wireless communication network, retrieving the destination address and verifying whether the destination address is capable of receiving a message via a packet-switched bearer and thus users preferences (D1: column 4 lines 15 to 34; D2: paragraph 38) and forwarding a message via preferably a packet-switched bearer or a SMS bearer. Messages are reformatted to suit the bearer to be used. Both D1 and D2 teach using numbers as the destination address and connecting to a message server prior to verifying the capabilities of the destination address by sending a request and receiving a response. Thus claims 1 to 3, 7, 8, 13 and 16 are not novel.

Claim 4 is novel due to storing requirements for messages and invoking the stored requirements by selecting a dynamic menu option. Claim 6 depend from claim 4 and so is also novel.

Claim 5 is novel due to the user selecting an option which constructs a message in light of the destination and the intended bearer.

Claims 9 and 10 are novel since neither D1 nor D2 teach displaying the retrieved parameters on a mobile device or manual or automatic over-the-air programming. Claims 11 and 12 depend from claim 10 so are also novel.

Continued in the Supplemental Box.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.
PCT/AU2008/001043

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**

Continuation of: Box V

Claim 14 is novel as neither D1 nor D2 teach automatically providing options add attachments if a packet-switched bearer is selected. Claim 15 depends from claim 14 and so is also novel.

Claim 17 is novel as neither D1 nor D2 teach appending a system message to a message to be conveyed by an SMS bearer. Claims 18 to 20 depend from claim 17 and so are also novel.

Neither D1 nor D2 explicitly teach queuing an outgoing message for later delivery if the message is undelivered. It follows that claims 21 is novel.

Neither D1 nor D2 teach a mobile device programmed to perform a method that decides to use packet-switched bearer or SMS bearer. It follows that claims 22 and 23 are novel.

Inventive Step

As noted above a broad interpretation of the claims permits the scope of claims 1 to 3, 7, 8, 13 and 16 to encompass the teachings of either D1 or D2. It follows that these claims are taught by D1 and D2 and so lack an inventive step.

Both D1 and D2 are directed to messaging over networks that use and do not use packet-switched bearers. Both are directed to improving network performance but selecting where possible packet-switched bearers yet providing compatibility with SMS bearer only networks of capabilities. It follows both are relevant to the invention and could have been considered by the person skilled in the art.

Should the broad interpretation be shown to be inaccurate or claims 1 to 3, 7, 8, 13 and 16 be amended so that either way these claims are interpreted to be restricted to a "mobile station" then clearly these claims would be novel. However, in light of the rapidly increasing performance of mobile stations and the obvious advantage to reduce unnecessary processing within the network and take advantage of newer messaging forms then moving the taught processing and decision making of either D1 or D2 to a mobile station would have been obvious to the person skilled in the art.

It is inherent in many messaging schemes to store, forward and delete upon notice of delivery and repeat sending a later if a message is undelivered. It follows that claim 21 lack novelty.

The features of claims 4, 5, 6, 9 to 12, 14, 15, 17 to 20, 22 and 23 obviously follow once the processing and formatting is moved into a mobile station. In keeping with well known analogous systems on mobile stations (eg address books) then storing and offering options based upon stored information lacks an inventive step. Similarly presenting a user with options to select from was obvious.

Industrial Applicability

The invention claimed in claims 1 to 23 has industrial applicability in the field of mobile communications.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2008/001043

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl.

H04Q 7/22 (2006.01)

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
EPODOC, WPI. KEYWORDS: SMS, MESSAGING, BEARER, PACKET, CIRCUIT, SWITCHED, VERIFY AND SIMILAR.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6678524 B1 (HANSSON et al) 13 January 2004. Column 1 lines 33 to 55, column 1 line 58 to column 2 line 8, column 3 lines 22 to 28, column 3 line 52 to column 6 line 63..	1 to 23
X	US 2002/0077131 A1 (MIZELL et al) 20 June 2002. Paragraphs 8, 9, 16, 17, 18 20, 21 and 34 to 63.	1 to 23

☐ Further documents are listed in the continuation of Box C ☒ See patent family annex

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
16 September 2008	19 SEP 2008
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999	Authorized officer **RICHARD REED** AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No : +61 2 6283 7927

Form PCT/ISA/210 (second sheet) (July 2008)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/AU2008/001043

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member					
US	6678524	AU	62849/01	EP	1285546	WO	0193607
US	2002077131	US	6970711				

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX

Electronic Patent Application Fee Transmittal	
Application Number:	
Filing Date:	
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Filer:	Timothy W. Lohse
Attorney Docket Number:	383651-991101
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	98	98
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Claims in excess of 20	2202	7	31	217
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**750**

Electronic Acknowledgement Receipt	
EFS ID:	14909152
Application Number:	13762347
International Application Number:	
Confirmation Number:	8030
Title of Invention:	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
First Named Inventor/Applicant Name:	Graham Merrett
Customer Number:	26379
Filer:	Timothy W. Lohse
Filer Authorized By:	
Attorney Docket Number:	383651-991101
Receipt Date:	07-FEB-2013
Filing Date:	
Time Stamp:	23:08:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$750
RAM confirmation Number	7613
Deposit Account	071896
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 1.16 (National application filing, search, and examination fees) 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	Transmittal of New Application	383651-991101-Utility_Transmittal.pdf	20654 ca017afe788c3346f42ce1622a79c6bc7ef8ac82	no	1
Warnings:					
Information:					
2		messmo-991101-Specification.pdf	81528 b6d88c668dd8b488aaddaee72c27c00af903c3b8	yes	22

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	17
Claims	18	21
Abstract	22	22

Warnings:					
Information:					
3	Drawings-only black and white line drawings	383651-991101-Drawings.pdf	638100 b3f24b4fe6a0d359510180b1b1782a987e2aff56	no	7
Warnings:					
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4	Oath or Declaration filed	messmo-991100-Declaration.pdf	144857 d3c69b9e0acff22ef593ef0a1b369d5817f80780	no	3
Warnings:					
Information:					
5	Power of Attorney	messmo-991100-POA.pdf	284875 08ab7069abc490d6abb91fff057e0c37ae6cc2b6	no	1
Warnings:					
Information:					
6	Assignee showing of ownership per 37 CFR 3.73.	messmo-991100-373.pdf	273177 5b633abf3ce6dcf5963fdc6ddc817f7e8963415d	no	1
Warnings:					

Information:					
7	Application Data Sheet	messmo-991100-ADS.pdf	153176 de18be1aaa1e1a00e51268066e44b4233b31db24	no	3
Warnings:					
Information:					
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8	Information Disclosure Statement (IDS) Form (SB08)	383651-991101-IDS-2-7-13.pdf	25181 95d3d6bd833af919d206bb05a7975f7284c137ff	no	3
Warnings:					
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9	Foreign Reference	WO2006014603A2.pdf	5153087 cb0912fbffbaeae0122787c94c7787688aa0bef8	no	96
Warnings:					
Information:					
10	Non Patent Literature	EP_Search_Rpt.PDF	148540 99539fdc9f999e480f34d77008ddf50d8e8ba0b2	no	10
Warnings:					
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11	Non Patent Literature	Context_Aware_Unified_Communication.pdf	9724546 d0b41be83ff2f153211163b1bd39c5d02ae32b65	no	11
Warnings:					
Information:					
12	Non Patent Literature	IPRP.pdf	2744507 c1a6b70e1aa30fecc7027751a100c45260584f42	no	7
Warnings:					
Information:					
13	Fee Worksheet (SB06)	fee-info.pdf	36340 8cd32419b50fcfeda8e437672dddfee27a0d6c3d	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	19428568	

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New Applications Under 35 U.S.C. 111
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.

National Stage of an International Application under 35 U.S.C. 371
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.

New International Application Filed with the USPTO as a Receiving Office
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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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Application Number	12/452,883
Filing Date	July 7, 2010
First Named Inventor	Graham Merrett
Title	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK
Art Unit	2617
Examiner Name	D AGOSTA, Stephen M.
Attorney Docket Number	MESSMO-991100

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

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith: 26379

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

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

☒ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

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

I am the:

☐ Applicant/inventor.

OR

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature		Date	3 Dec 2012
Name	Brendan O'Kane	Telephone	
Title and Company	CEO, Messmo Technologies Pty. Ltd.		

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

☒ *Total of 1 forms are submitted.

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

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Graham MERRETT

Application No./Patent No.: 12/452,883 Filed/Issue Date: July 7, 2010

Entitled: MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK

Messmo Technologies Pty. Ltd., a Australian Proprietary Limited
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest 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)

in 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 024641, Frame 0881, or for which a copy thereof is attached.

OR

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

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

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

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

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

_____ 30/07/2012
Signature Date

Brendan O'Kane CEO
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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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	383651-991101
	Application Number	
Title of Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	

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

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
	Graham		Merrett	

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

City	Queensland	Country Of Residence	AU
Citizenship under 37 CFR 1.41(b)	AU		

Mailing Address of Applicant:

Address 1	55 Lewis Street, Woolloongabba		
Address 2			
City	Queensland	State/Province	
Postal Code	4102	Country	AU

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	26379		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK		
Attorney Docket Number	383651-991101	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter			
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	7	Suggested Figure for Publication (if any)	

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	383651-991101
	Application Number	
Title of Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	

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)
Customer Number	26379		

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	12/452883	1010-07-07
Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
12/452883		PCT/AU2008/001043	2008-07-18

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

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
2007903979	AU	2007-07-24	◉ Yes ○ No
			Remove
Application Number	Country[i]	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
2007906230	AU	2007-11-13	◉ Yes ○ No

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	383651-991101
	Application Number	
Title of Invention	MESSAGING SERVICE IN A WIRELESS COMMUNICATIONS NETWORK	

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

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

If the Assignee is an Organization check here. [x]

Organization Name	Messmo Technologies Pty. Ltd.		
Mailing Address Information:			
Address 1	P.O. BOX 1240 TOOWONG		
Address 2			
City	Queensland	**State/Province**	
Country[i]	AU	Postal Code	4066
Phone Number		Fax Number	
Email Address			

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

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	/Timothy W. Lohse/			Date (YYYY-MM-DD)	2013-02-07
First Name	Timothy	Last Name	Lohse	Registration Number	35255

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.**