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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/987,018	02/07/2012	8112104	IPVMAP03D1C2	7597

34071 7590 01/18/2012
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

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

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

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

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

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

C. Douglass Thomas, Campbell, CA;
Peter P. Tong, Mountain View, CA;

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 1 of 4

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
/K.A./	1.	5,425,516	Jun.-95	Daines			
	2.	5,548,636	Aug. 96	Bannister et al.			
	3.	5,758,079	May-98	Ludwig et al.			
	4.	5,828,731	Oct. 98	Szlam et al.			
	5.	5,930,700	Jul.-99	Pepper et al.			
	6.	5,970,388	Oct. 99	Will			
	7.	6,119,022	Sep. 00	Osborn et al.			
	8.	6,327,628 B1	Dec.-01	Anuff et al.			
	9.	6,463,462	Oct.-02	Smith et al.			
	10.	6,577,859 B1	Jun. 03	Zahavi et al.			
	11.	6,636,888 B1	Oct.-03	Bookspan et al.			
Change(s) applied to document, /L.A.S./ 9/6/2011	12.	6,665,534 B1	Dec. 03	Conklin et al.			
	13.	6,801,793 B1	Oct. 04	Aarnio et al.			
	14.	6,816,578 B1	Nov. 04	Kredo et al.			
	15.	6,819,757 B1	Nov.-04	Cook et al.			
	16.	6,978,136 B2	Dec. 05	Jenniges et al.			
	17.	7,010,288 B2	Mar. 06	Brown et al.			
	18.	7,010,332 B1	Mar.06	Irvin et al.			
5-9-2006	19.	7,027,842 B2	Apr. 06	Zhang et al.			
	20.	7,043,261 B1	~~May-07~~	Krishnan			
	21.	7,072,452 B1	Jul. 06	Roberts et al.			
	22.	7,085,253 B2	Aug.-06	Yang			
	23.	7,107,010 B2	Sep.-06	Heinonen et al.			
9-19-2006	24.	7,110,963	~~Sep.-06~~	Negreiro			
	25.	7,111,044 B2	Sep. 06	Lee			
	26.	7,116,976 B2	Oct. 06	Thomas et al.			
/K.A./	27.	7,376,434	May-08	Thomas et al.			

Examiner /Kamran Afshar/	Date Considered 03/23/2011
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.A./

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)

34071 7590 11/02/2011
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

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.
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12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
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TITLE OF INVENTION: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$870	\$0	\$0	\$870	02/02/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
LAM, DUNG LE	2617	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, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

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

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

(A) NAME OF ASSIGNEE

IpVenture, Inc.

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

Los Altos, CA

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

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

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

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

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 50-3874 (enclose an extra copy of this form).

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

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

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

Authorized Signature /C. Douglass Thomas/

Date December 28, 2011

Typed or printed name C. Douglass Thomas

Registration No. 32,947

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

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.

Electronic Patent Application Fee Transmittal				
Application Number:		12987018		
Filing Date:		07-Jan-2011		
Title of Invention:		ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES		
First Named Inventor/Applicant Name:		C. Douglass Thomas		
Filer:		Peter P. Tong/Angela Nijim		
Attorney Docket Number:		IPVMAP03D1C2		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				870

Electronic Acknowledgement Receipt	
EFS ID:	11724081
Application Number:	12987018
International Application Number:	
Confirmation Number:	7597
Title of Invention:	ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES
First Named Inventor/Applicant Name:	C. Douglass Thomas
Customer Number:	34071
Filer:	Peter P. Tong
Filer Authorized By:	
Attorney Docket Number:	IPVMAP03D1C2
Receipt Date:	30-DEC-2011
Filing Date:	07-JAN-2011
Time Stamp:	00:26:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 870
RAM confirmation Number	5951
Deposit Account	503874
Authorized User	THOMAS,C. DOUGLAS
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 1.20 (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)	IPVMAP03D1C2IFTrans12-11.pdf	98390	no	1
			f8a610cf0fda7c4029bb8a0df715d43ba8d2ca6f		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30365	no	2
			fd66ba6c6b74ab32ff0613e1621a89a04c3b1cb4c		
Warnings:					
Information:					
Total Files Size (in bytes):			128755		
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.					



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NOTICE OF ALLOWANCE AND FEE(S) DUE

34071 7590 11/02/2011
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

EXAMINER

LAM, DUNG LE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 11/02/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597

TITLE OF INVENTION: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$870	\$0	\$0	\$870	02/02/2012

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

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

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

If the SMALL ENTITY is shown as NO:

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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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)

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
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TITLE OF INVENTION: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$870	\$0	\$0	\$870	02/02/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
LAM, DUNG LE	2617	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

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

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

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

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

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

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

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

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

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

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

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
34071	7590	11/02/2011	EXAMINER	
IPVENTURE, INC. 5150 EL CAMINO REAL SUITE A-22 LOS ALTOS, CA 94022			LAM, DUNG LE	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 11/02/2011

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

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)
	12/987,018	THOMAS ET AL.
	Examiner	Art Unit
	DUNG LAM	2617

-- 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 10/12/11.

2. ☒ The allowed claim(s) is/are 1-47.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

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

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)	5. ☐ Notice of Informal Patent Application
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>10/12/11</u>	7. ☐ Examiner's Amendment/Comment
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ☒ Examiner's Statement of Reasons for Allowance
	9. ☐ Other _____.

/Dung Lam/ Examiner, Art Unit 2617	/KAMRAN AFSHAR/ Supervisory Patent Examiner, Art Unit 2617
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DETAILED ACTION

Information Disclosure Statement

The Information Disclosure Statement submitted on 10/12/11 has been considered by the examiner (see attached PTO-1449 form).

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/11 has been entered.

Allowable Subject Matter

In view of amended claims, the approved Terminal Disclaimer and further search, claims 1-47 are allowed.

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

Claims 1-47 are allowed for the reasons as set forth in applicant's response filed on 7/5/2011.

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 DUNG LAM whose telephone number is (571)272-6497. The examiner can normally be reached on M - F 9 - 5:30 pm, Every Other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamran Afshar can be reached on (571) 272-7667. 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.

/Dung Lam/
Examiner, Art Unit 2617

/KAMRAN AFSHAR/
Supervisory Patent Examiner, Art Unit 2617

Issue Classification 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner DUNG LAM	Art Unit 2617

ORIGINAL						INTERNATIONAL CLASSIFICATION												
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED							
455		466				H	0	4	W	4 / 00 (2009.0)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
455	414.4	569.1	550.1															
379	420.01																	

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	14	17	33	33										
23	2	15	18	26	34										
24	3	16	19	34	35										
42	4	17	20	35	36										
2	5	18	21	36	37										
3	6	19	22	37	38										
4	7	20	23	38	39										
5	8	21	24	39	40										
6	9	22	25	40	41										
7	10	27	26	41	42										
8	11	25	27	43	43										
9	12	28	28	44	44										
10	13	29	29	45	45										
11	14	30	30	46	46										
12	15	31	31	47	47										
13	16	32	32												

/DUNG LAM/ Examiner.Art Unit 2617 (Assistant Examiner)	10/20/11 (Date)	Total Claims Allowed: 47	
/KAMRAN AFSHAR/ Supervisory Patent Examiner.Art Unit 2617 (Primary Examiner)	10/24/2011 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 5

Receipt date: 10/12/2011

12987018 - GAU: 2617

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	12/987,018
	Applicant	THOMAS et al.
	Filing Date	January 7, 2011
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2002/0142756 A1	Oct.-02	Rutledge et al.			
	2.	2005/0027385 A1	Feb.-05	Yuch			
	3.	2006/0239419 A1	Oct.-06	Joseph et al.			
	4.	2010/0205272 A1	Aug.-10	Cheung et al.			
	5.	6,977,625 B1	Dec.-05	Szente et al.			
	6.	7,188,073 B1	Mar.-07	Tam et al.			
	7.	7,245,266 B1	Jul.-07	Szente et al.			
	8.	7,729,688 B2	Jun.-10	Cheung et al.			
	9.	7,792,522 B2	Sep.-10	Thomas et al.			
	10.						
	11.						
	12.						

Foreign Documents

							Translation	
Init.		Document No.	Date	Country	Class	Subclass	Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	A	Notice of Allowance for U.S. Patent Application No. 12/798,995 dated 9/29/11.
	B	
	C	
	D	
	E	
	F	
	G	
	H	

Examiner /Dung Lam/	Date Considered 10/20/2011
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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

Search Notes 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner DUNG LAM	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
455	466,414.4,417,412.1,550.1,566,556.1,569.1,518	7/28/2011	DL
379	420.01-420.04,211.01,207.02,220.01,88.22	7/28/2011	DL
704	246,235	7/28/2011	DL

SEARCH NOTES		
Search Notes	Date	Examiner
Using East to search class, subclass, inventor and assignee	7/28/2011	DL
Considered IDS submitted on 10/12/11	10/20/11	DL

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
	Interference searched	7/28/2011	DL

/DUNG LAM/ Examiner.Art Unit 2617	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

**REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 CFR §1.114)**

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

This is a Request for Continued Examination (RCE) of the above-identified application.

1. Submission required under 37 C.F.R. §1.114:

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment/reply under 37 C.F.R. §1.116 previously filed on _____. *(Any unentered amendment referred to above will be entered.)*
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. ☐ Other _____.
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit/Declaration
 - iii. ☒ Information Disclosure Statement with Form PTO-1449
☐ Copies of IDS Citations
 - iv. ☐ Other _____.

2. **Fees:** (The RCE fee is required at the time the RCE is filed.)

Fee Calculation (37 CFR §1.16)

Fee for Request for Continued Examination Under 37 C.F.R. §1.17(e)	\$930 =	
TOTAL		\$465.00
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)	\$465.00	

- ☐ a. Applicant hereby petitions for a month extension of time.
- ☒ b. Applicant believes that no (additional) extension of time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorizes the Director to charge the required fees for an extension of time under 37 CFR §1.136 to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).
- ☒ c. Any fees due are being paid electronically herewith.
- ☒ d. The Director is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).
3. ☒ Please send correspondence to the following address:

Customer Number 34071

34071

IpVenture, Inc.
5150 El Camino Real, Suite A-22
Los Altos, CA 94022

Please direct any calls to (650) 903-9200, x101.

Date: October 12, 2011

/C. Douglass Thomas/
C. Douglass Thomas
Registration No. 32,947

Electronic Patent Application Fee Transmittal				
Application Number:		12987018		
Filing Date:		07-Jan-2011		
Title of Invention:		ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES		
First Named Inventor/Applicant Name:		C. Douglass Thomas		
Filer:		Peter P. Tong/Angela Nijim		
Attorney Docket Number:		IPVMAP03D1C2		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	27	30	810
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:				
Request for continued examination	2801	1	465	465
Total in USD (\$)				1275

Electronic Acknowledgement Receipt	
EFS ID:	11175866
Application Number:	12987018
International Application Number:	
Confirmation Number:	7597
Title of Invention:	ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES
First Named Inventor/Applicant Name:	C. Douglass Thomas
Customer Number:	34071
Filer:	Peter P. Tong/Angela Nijim
Filer Authorized By:	Peter P. Tong
Attorney Docket Number:	IPVMAP03D1C2
Receipt Date:	12-OCT-2011
Filing Date:	07-JAN-2011
Time Stamp:	20:54:41
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1275
RAM confirmation Number	6803
Deposit Account	503874
Authorized User	THOMAS,C. DOUGLAS
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	IPVMAP03D1C2AmdBTrans10-11.pdf	20386	no	1
			4259722bd8015faefc3a92ee3921af24ee3556a		
Warnings:					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	IPVMAP03D1C2AmdBasfiled10-11.pdf	50910	no	13
			7080d0946b43b095962f73e8f14b1489f0f5d887		
Warnings:					
Information:					
3	Transmittal Letter	IPVMAP03D1C2IDSTrans10-11.pdf	24403	no	2
			46a41df33859cc43c8620efc43b6080f2a6a0ebe		
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Form (SB08)	IPVMAP03D1C2-1449-10-11.pdf	23990	no	1
			050d0b50b42077d6b5018f0a50994b63ef65648		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
5	Request for Continued Examination (RCE)	IPVMAP03D1C2RCE10-11.pdf	34039	no	2
			2bf0c525410687ed8b78b7235bd25e913f96ed25		
Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
6	Fee Worksheet (SB06)	fee-info.pdf	32136	no	2
			0caedc22187384f04ed750c90e09e13ea118ea0e		
Warnings:					
Information:					
Total Files Size (in bytes):			185864		

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

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

AMENDMENT B TRANSMITTAL

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

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	47	MINUS	20	27	x 30 = 810	x 60 =
Independent Claims	3	MINUS	3	00	x 125 =	x 250 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$	\$
Total					\$810.00	\$

- ☐ Applicant(s) hereby petition for a _____ - month extension(s) of time to respond to the aforementioned Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).
- ☒ Any fees due are being paid electronically herewith.
- ☒ Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).

Respectfully submitted,

/C. Douglass Thomas/
C. Douglass Thomas
Reg. No. 32,947

Appln. No. 12/987,018

Atty. Docket No. IPVMAP03D1C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

AMENDMENT B

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

Dear Sir:

Further to the Notice of Allowance mailed August 22, 2011, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 13 of this paper.

Amendments to the Claims:

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

Listing of Claims:

1. (Original) A wireless communication system, comprising:

a wireless headset; and

a wireless communication device that supports wireless communication, including messaging, for a first user, said wireless communication device capable of wirelessly communicating with the wireless headset,

wherein said wireless communication device is configured to perform the method of:

receiving an incoming text message from a second user;

converting the incoming text message to an incoming audio message;

presenting the incoming audio message for the first user via the wireless headset;

recording a reply audio message by the first user via the wireless headset;

converting the reply audio message into a reply text message; and

transmitting the reply text message to the second user.

2. (Currently Amended) A wireless headset that at least supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and

wherein said wireless headset is configured to at least:

wirelessly receive an incoming audio message from the mobile electronic device, the incoming audio message being produced by converting an incoming text message from another wireless electronic device, the incoming text message being received at the mobile electronic device via a wireless network;

output the incoming audio message for the first user;

receive a reply audio message from the first user in response to the incoming audio message; and

wirelessly transmit the reply audio message to the mobile electronic device.

3. (Original) A wireless headset according to claim 2, wherein the reply audio message thereafter being converted to a reply text message and transmitted to the another wireless electronic device via the wireless network.

4. (Currently Amended) A wireless headset that at least supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and

wherein said wireless headset is configured to at least:

play an incoming audio message for the first user via the wireless headset, the incoming audio message being produced by converting an incoming text message from a second user, the incoming text message being received at the mobile electronic device via a wireless network; and

receive a reply audio message from the first user via the wireless headset in response to the incoming audio message, the reply audio message thereafter being converted to a reply text message and transmitted to the second user via the wireless network.

5. (New) A wireless communication system as recited in claim 1,

wherein said wireless communication device is configured to perform the operation of determining whether the wireless headset is active, and

wherein said converting of the incoming text message is automatically invoked to convert the incoming text message to the incoming audio message, provided that said determining determines that the wireless headset is active.

6. (New) A wireless communication system as recited in claim 1, wherein said wireless communication device is configured to perform the operation of:

prompting the first user to provide the reply audio message prior to said recording of the reply audio message.

7. (New) A wireless communication system as recited in claim 1, wherein said wireless communication device is configured to perform the operation of:

limiting the reply audio message during said recording and/or said converting of the reply audio message so that the reply text message does not exceed a predetermined text message size.

8. (New) A wireless communication system as recited in claim 1,

wherein said wireless communication device is configured to perform the operation of:

determining whether the incoming text message should be presented to the first user in an audio manner, and

wherein said converting of the incoming text message is invoked to convert the incoming text message to the incoming audio message, provide that said determining determines that the incoming text message should be presented to the first user in an audio manner.

9. (New) A wireless communication system as recited in claim 8,
wherein said wireless communication device is configured to perform the operation of determining whether the wireless headset is active, and
wherein said converting of the incoming text message is automatically invoked to convert the incoming text message to the incoming audio message, provide that said determining determines that the wireless headset is active.
10. (New) A wireless communication system as recited in claim 9, wherein said wireless communication device is configured to perform the operation of:
prompting the first user to provide the reply audio message prior to said recording of the reply audio message.
11. (New) A wireless communication system as recited in claim 8, wherein said determining is based on a preference setting that is able to be set by the first user.
12. (New) A wireless communication system as recited in claim 8, wherein said determining is based on a user indication.
13. (New) A wireless communication system as recited in claim 8, wherein said determining comprises determining whether the wireless headset is active.
14. (New) A wireless communication system as recited in claim 1, wherein said converting of the incoming text message to the incoming audio message depends on at least one user-selected speech characteristic.

15. (New) A wireless communication system as recited in claim 14, wherein the at least one user-selected speech characteristic is set based on at least one user preference that is able to be set by the first user.

16. (New) A wireless communication system as recited in claim 14, wherein the at least one user-selected speech characteristic is set based on at least one user setting provided at said wireless communication device.

17. (New) A wireless communication system as recited in claim 14, wherein the at least one user-selected speech characteristic pertains to at least a voice for use in producing the incoming audio message.

18. (New) A wireless communication system as recited in claim 14, wherein said presenting of the incoming audio message comprises playing the incoming audio message, with the playing of the incoming audio message being dependent on at least one user-selected speech characteristic.

19. (New) A wireless communication system as recited in claim 1, wherein the incoming text message is a SMS message.

20. (New) A wireless communication system as recited in claim 1, wherein the incoming text message is a SMS message, and wherein the reply text message is a SMS message.

21. (New) A wireless communication system as recited in claim 1, wherein said converting of the incoming text message to the incoming audio message comprises:

translating at least a portion of the incoming text message from a condensed format to an uncondensed text format; and

converting at least the portion of the incoming text message in the uncondensed text format to at least a portion of the incoming audio message.

22. (New) A wireless communication system as recited in claim 21, wherein said converting of the incoming text message to the incoming audio message depends on at least one user-selected speech characteristic.

23. (New) A wireless communication system as recited in claim 22, wherein the at least one user-selected speech characteristic is set based on at least one user setting provided at said wireless communication device.

24. (New) A wireless communication system as recited in claim 1, wherein at least a portion of the incoming text message is in a chat language, and wherein said converting of the incoming text message to the incoming audio message comprises expanding the portion of the incoming text message that is in the chat language to a plurality of words.

25. (New) A wireless communication system as recited in claim 1, wherein said wireless communication device is a mobile telephone.

26. (New) A wireless headset as recited in claim 2, wherein said wireless headset is configured to:

prompt the first user to provide the reply audio message prior to said receiving of the reply audio message.

27. (New) A wireless headset as recited in claim 3, wherein at least one of said wireless headset and the mobile electronic device are configured to:

limit the reply audio message and/or the reply text message so that the reply text message does not exceed a maximum text message size.

28. (New) A wireless headset as recited in claim 2, wherein the conversion of the incoming text message to the incoming audio message depends on at least one user-selected speech characteristic.

29. (New) A wireless headset as recited in claim 28, wherein the at least one user-selected speech characteristic is set based on at least one user preference able to be set by or for the first user.

30. (New) A wireless headset as recited in claim 28, wherein the at least one user-selected speech characteristic is set based on at least one user setting able to be provided at the mobile electronic device.

31. (New) A wireless headset as recited in claim 28, wherein the at least one user-selected speech characteristic pertains to at least a voice for use in producing the incoming audio message.

32. (New) A wireless headset as recited in claim 2,

wherein said wireless headset includes at least one speaker,

wherein the output of the incoming audio message comprises directing the incoming audio message to the at least one speaker in said wireless headset,
and

wherein the output of the incoming audio message is dependent on at least one user-selected speech characteristic.

33. (New) A wireless headset as recited in claim 2, wherein the incoming text message is a SMS message.

34. (New) A wireless headset as recited in claim 3, wherein the incoming text message is a SMS message, and wherein the reply text message is a SMS message.

35. (New) A wireless headset as recited in claim 2, wherein the conversion of the incoming text message to the incoming audio message comprises:

translation of at least a portion of the incoming text message from a condensed format to an uncondensed text format; and

conversion of at least the portion of the incoming text message in the uncondensed text format to at least a portion of the incoming audio message.

36. (New) A wireless headset as recited in claim 35, wherein the conversion of the incoming text message to the incoming audio message depends on at least one user-selected speech characteristic.

37. (New) A wireless headset as recited in claim 36, wherein the at least one user-selected speech characteristic is set based on at least one user setting able to be provided at the mobile electronic device.

38. (New) A wireless headset as recited in claim 2, wherein at least a portion of the incoming text message is in a chat language, and wherein the conversion of

the incoming text message to the incoming audio message comprises expanding the portion of the incoming text message that is in the chat language to a plurality of words.

39. (New) A wireless headset as recited in claim 2, wherein at least a portion of the incoming text message is in a chat language, and wherein the conversion of the incoming text message to the incoming audio message comprises at least increasing the number of alphabets in the portion of the incoming text message that is in the chat language.

40. (New) A wireless headset as recited in claim 2, wherein the mobile electronic device is a mobile telephone.

41. (New) A wireless headset as recited in claim 2,
wherein said wireless headset is configured to:
prompt the first user to provide the reply audio message prior to
said receiving of the reply audio message,
wherein the reply audio message thereafter being converted to a reply text
message and transmitted to the another wireless electronic device via the
wireless network,
wherein the conversion of the incoming text message to the incoming
audio message depends on at least one user-selected speech characteristic,
wherein the at least one user-selected speech characteristic is set based
on at least one user setting able to be provided at the mobile electronic device,
and
wherein the incoming text message is a SMS message, and wherein the
reply text message is a SMS message.

42. (New) A wireless headset as recited in claim 41, wherein at least a portion of the incoming text message is in a chat language, and wherein the conversion of the incoming text message to the incoming audio message comprises expanding the portion of the incoming text message that is in the chat language to a plurality of words.

43. (New) A wireless headset as recited in claim 4,
wherein the conversion of the incoming text message to the incoming audio message depends on at least one user-selected speech characteristic, and
wherein the at least one user-selected speech characteristic is set based on at least one user setting able to be provided at the mobile electronic device.

44. (New) A wireless headset as recited in claim 43,
wherein said wireless headset is configured to:
prompt the first user to provide the reply audio message prior to the reply audio message being received at said wireless headset,

45. (New) A wireless headset as recited in claim 43, wherein at least a portion of the incoming text message is in a chat language, and wherein the conversion of the incoming text message to the incoming audio message comprises expanding the portion of the incoming text message that is in the chat language to a plurality of words.

46. (New) A wireless headset as recited in claim 43, wherein the conversion of the incoming text message to the incoming audio message comprises:

translation at least a portion of the incoming text message from a condensed format to an uncondensed text format; and

conversion of at least the portion of the incoming text message in the uncondensed text format to at least a portion of the incoming audio message.

47. (New) A wireless headset as recited in claim 43, wherein the reply audio message is converted to the reply text message and transmitted to the another wireless electronic device by the mobile electronic device.

REMARKS

Further to the Notice of Allowance mailed August 22, 2011, this Amendment makes minor amendments to claims 2 and 4, and also adds dependent claims 5-47 to the application. Claims 1-47 are now pending.

Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

Respectfully submitted,

/C. Douglass Thomas/
C. Douglass Thomas
Reg. No. 32,947

(650) 903-9200 x103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which non-U.S. patents are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114.

Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMAP03D1C2).

Respectfully submitted,

/C. Douglass Thomas/

C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	12/987,018
	Applicant	THOMAS et al.
	Filing Date	January 7, 2011
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2002/0142756 A1	Oct.-02	Rutledge et al.			
	2.	2005/0027385 A1	Feb.-05	Yuch			
	3.	2006/0239419 A1	Oct.-06	Joseph et al.			
	4.	2010/0205272 A1	Aug.-10	Cheung et al.			
	5.	6,977,625 B1	Dec.-05	Szente et al.			
	6.	7,188,073 B1	Mar.-07	Tam et al.			
	7.	7,245,266 B1	Jul.-07	Szente et al.			
	8.	7,729,688 B2	Jun.-10	Cheung et al.			
	9.	7,792,522 B2	Sep.-10	Thomas et al.			
	10.						
	11.						
	12.						

Foreign Documents

							Translation	
Init.		Document No.	Date	Country	Class	Subclass	Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	A	Notice of Allowance for U.S. Patent Application No. 12/798,995 dated 9/29/11.
	B	
	C	
	D	
	E	
	F	
	G	
	H	

Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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 12/987,018		Filing Date 01/07/2011		☐ To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY ☒ OR		OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =			X \$ =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL				
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	10/12/2011	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 47	Minus	** 20	= 27	X \$30 =	810	OR	X \$ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	X \$125 =	0	OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
					TOTAL ADD'L FEE	810	OR	TOTAL ADD'L FEE		
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

Legal Instrument Examiner:
/DENISE HOPKINS/

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

34071 7590 08/22/2011
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

EXAMINER

LAM, DUNG LE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 08/22/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597

TITLE OF INVENTION: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	11/22/2011

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

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

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

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

If the SMALL ENTITY is shown as NO:

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

34071 7590 08/22/2011
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022

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.
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12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
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TITLE OF INVENTION: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	11/22/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
LAM, DUNG LE	2617	455-566000

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

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

2. For printing on the patent front page, list

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

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

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

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

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

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

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

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

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

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

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

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

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.



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.
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
34071	7590	08/22/2011	EXAMINER	
IPVENTURE, INC. 5150 EL CAMINO REAL SUITE A-22 LOS ALTOS, CA 94022			LAM, DUNG LE	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 08/22/2011

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

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)
	12/987,018	THOMAS ET AL.
	Examiner	Art Unit
	DUNG LAM	2617

-- 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 7/5/11.

2. ☒ The allowed claim(s) is/are 1-4.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

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

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)	5. ☐ Notice of Informal Patent Application
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>7/5/11</u>	7. ☐ Examiner's Amendment/Comment
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ☒ Examiner's Statement of Reasons for Allowance
	9. ☐ Other _____.

/Dung Lam/ Examiner, Art Unit 2617	/KAMRAN AFSHAR/ Supervisory Patent Examiner, Art Unit 2617
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Allowable Subject Matter

In view of amended claims, the approved Terminal Disclaimer and further search, claims 1-4 are allowed.

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

Claims 1-4 are allowed for the reasons as set forth in applicant's response filed on 7/5/2011.

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 DUNG LAM whose telephone number is (571)272-6497. The examiner can normally be reached on M - F 9 - 5:30 pm, Every Other Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamran Afshar can be reached on (571) 272-7667. 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.

/Dung Lam/
Examiner, Art Unit 2617

Application/Control Number: 12/987,018

Page 3

Art Unit: 2617

/KAMRAN AFSHAR/

Supervisory Patent Examiner, Art Unit 2617

Issue Classification 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner DUNG LAM	Art Unit 2617

ORIGINAL						INTERNATIONAL CLASSIFICATION												
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED							
455		466				H	O	4	W	4 / 00 (2009.0)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
455	414.4	569.1	550.1															
379	420.01																	

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☒ T.D. ☐ R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1														
2	2														
3	3														
4	4														

/DUNG LAM/ Examiner.Art Unit 2617 (Assistant Examiner)	7/05/11 (Date)	Total Claims Allowed: 4	
/KAMRAN AFSHAR/ Supervisory Patent Examiner.Art Unit 2617 (Primary Examiner)	08/12/2011 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 5

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	12/987,018
	Applicant	THOMAS et al.
	Filing Date	January 7, 2011
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2003/0112948 A1	Jun.-03	Brown et al.			
	2.	2003/0191814 A1	Oct.-03	Tran			
	3.	2007/0047522 a1	Mar.-07	Jefferson et al.			
	4.	6,788,766 B2	Sep.-04	Logan			
	5.						
	6.						
	7.						
	8.						
	9.						
	10.						

Foreign Documents

							Translation	
Init.		Document No.	Date	Country	Class	Subclass	Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	A	
	B	
	C	
	D	
	E	
	F	
	G	
	H	
	I	

Examiner /Dung Lam/	Date Considered 07/28/2011
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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

<i>Search Notes</i> 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner DUNG LAM	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
455	466,414.4,417,412.1,550.1,566,556.1,569.1,518	7/28/2011	DL
379	420.01-420.04,211.01,207.02,220.01,88.22	7/28/2011	DL
704	246,235	7/28/2011	DL

SEARCH NOTES		
Search Notes	Date	Examiner
Using East to search class, subclass, inventor and assignee	7/28/2011	DL

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
	Interference searched	7/28/2011	DL

/DUNG LAM/ Examiner.Art Unit 2617	
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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	0	12/987018	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:22
S2	0	(doughlass and thomas).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:53
S3	280	(peter and tong).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:53
S4	144	(peter and tong and p).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:53
S5	217	(douglass and thomas).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:54
S6	281	S4 S5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:54
S7	281	S4 S5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 22:55
S8	35092	head?set earset ear?piece headgear head?phone (head near (set phone))	US-PGPUB; USPAT; USOCR;	OR	OFF	2011/07/28 23:12

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S9	75775	(text data) near10 (convert\$3 conversion to transform\$3 chang\$3 modifi\$3) near10 (speech audio voice)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:12
S10	175432	(respond\$3 response repl\$3 replying answer\$3) near5 (text sms message)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:13
S11	175	S8 and S9 and S10	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:13
S12	5	S7 and S11	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:13
S13	20076	455/466,414.4,417,412.1,550.1,566,556.1,569.1,518.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:14
S14	2802	379/420.01-420.04,211101,207.02,220.01,88.22.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:14
S15	2475	704/246,235.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:14
S16	25131	S13 S14 S15	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:14
S17	26	S16 and S11	US-PGPUB; USPAT;	OR	OFF	2011/07/28 23:14

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S18	4	(S8 and S9 and S10).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/07/28 23:16
S39	19642	(text message data) near6 (speech or voice or audio) near6 (conversion convert\$3 or translat\$3 or reformat\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:30
S40	35168	head?set earset ear?piece headgear head?phone (head near (set phone))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:31
S41	21	(S39 same S40)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:31
S42	176216	(respond\$3 response repl\$3 replying answer\$3) near5 (text sms message)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:31
S43	0	(S39 same S40 same S42)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:32
S44	3	(S39 same S40 and S42)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:32
S45	3	(S39 and S40 and S42).clm.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:33
S46	3363	379/420.01-420.04,211.01,207.02,220.01,88.22.ccls.	US-PGPUB;	OR	OFF	2011/08/11

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			15:34
S47	20185	455/466,414.4,417,412.1,550.1,566,556.1,569.1,518.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:35
S48	2811	379/420.01-420.04,211101,207.02,220.01,88.22.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:35
S49	2482	704/246,235.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:35
S50	25254	S47 S48 S49	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:35
S51	3	S50 and (S39 same S40)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:35
S52	4238589	(respond\$3 response repl\$3 replying answer\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:36
S53	121	S50 and (S39 same S42)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:36
S54	0	S50 and (S39 same S42 and S40)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:37

EAST Search History

S55	7324	(text data) near10 (translat\$3) near10 (speech audio voice)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/08/11 15:42
S61	1	("7376343").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/08/11 18:13

8/11/2011 7:34:15 PM**C:\Users\dlam2\Documents\EAST\Workspaces\12987018.wsp**

EAST Search History**EAST Search History (Interference)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S19	135	(peter and tong and p).in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 22:54
S20	243	(peter and tong).in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 22:54
S21	0	(douglass and thomas).in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 22:54
S22	203	(douglass and thomas).in.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 22:54
S23	366	S20 S22	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 22:55
S24	20171	head?set earset ear?piece headgear head?phone (head near (set phone))	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:00
S25	40234	(text data) near5 (convert\$3 conversion to) near5 (speech audio voice)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:02
S26	59620	(text data) near10 (convert\$3 conversion to transform\$3 chang\$3 modifi\$3) near10 (speech audio voice)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:03
S27	146317	(respond\$3 response repl\$3 replying answer\$3) near5 (text sms message)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:06
S28	145	S24 and S25 and S27	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:07
S29	5	S23 and S28	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:07
S30	1	"Term Removed"	USPAT; UPAD	OR	OFF	2011/07/28 23:08
S31	1	"Term Removed"	USPAT; UPAD	OR	OFF	2011/07/28 23:10

S32	0	"Term Removed"	US-PGPUB; UPAD	OR	OFF	2011/07/28 23:10
S33	20194	455/466,414.4,417,412.1,550.1,566,556.1,569.1,518.ccls.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:14
S34	2732	379/420.01-420.04,211101,207.02,220.01,88.22.ccls.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:14
S35	2308	704/246,235.ccls.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:14
S36	25010	S33 S34 S35	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:14
S37	23	S28 and S36	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:15
S38	4	(S24 and S25 and S27).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/07/28 23:16
S56	20231	head?set earset ear?piece headgear head?phone (head near (set phone))	US-PGPUB; USPAT; UPAD	OR	OFF	2011/08/11 14:35
S57	16497	(text message data) near6 (speech or voice or audio) near6 (conversion convert\$3 or translat\$3 or reformat\$3)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/08/11 14:37
S58	15	S56 same S57	US-PGPUB; USPAT; UPAD	OR	OFF	2011/08/11 14:38
S59	5	(S56 and (response repl\$3 respond\$3 replying) and S57).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2011/08/11 14:52
S60	16497	(text message data) near6 (speech or voice or audio) near6 (conversion convert\$3 or translat\$3 or reformat\$3)	US-PGPUB; USPAT; UPAD	OR	OFF	2011/08/11 15:15

8/11/2011 7:34:32 PM

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Application Number 	Application/Control No. 12/987,018	Applicant(s)/Patent under Reexamination THOMAS ET AL.	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : Both tds 07/05/2011	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Dorethea Lawrence

U.S. Patent and Trademark Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

AMENDMENT A

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

Dear Sir:

In response to the Office Action dated March 28, 2011, please amend the above-identified patent application as follows:

Amendments to the Specification are reflected on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Amendments to the Specification:

Please **AMEND** paragraph [0001] on page 1 of the specification as follows:

--

[0001] This application is a continuation application of U.S. Patent Application No. 12/074,961, filed March 7, 2008, now U.S. Patent No. 7,890,128, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference, and which is a continuation application of U.S. Patent Application No. 11/497,651, filed August 2, 2006, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," now U.S. Patent No. 7,376,434, which is hereby incorporated herein by reference, and which is a divisional application of U.S. Patent Application No. 11/006,343, filed December 7, 2004, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," now U.S. Patent No. 7,116,976, which is hereby incorporated herein by reference, and which claims priority to U.S. Provisional Patent Application No. 60/527,565, filed December 8, 2003, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference.

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Amendments to the Claims:

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

Listing of Claims:

1. (Original) A wireless communication system, comprising:

a wireless headset; and

a wireless communication device that supports wireless communication, including messaging, for a first user, said wireless communication device capable of wirelessly communicating with the wireless headset,

wherein said wireless communication device is configured to perform the method of:

receiving an incoming text message from a second user;

converting the incoming text message to an incoming audio message;

presenting the incoming audio message for the first user via the wireless headset;

recording a reply audio message by the first user via the wireless headset;

converting the reply audio message into a reply text message; and

transmitting the reply text message to the second user.

2. (Original) A wireless headset that supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and

wherein said wireless headset is configured to at least:

wirelessly receive an incoming audio message from the mobile electronic device, the incoming audio message being produced by converting an incoming text message from another wireless electronic device, the incoming text message being received at the mobile electronic device via a wireless network;

output the incoming audio message for the first user;

receive a reply audio message from the first user in response to the incoming audio message; and

wirelessly transmit the reply audio message to the mobile electronic device.

3. (Original) A wireless headset according to claim 2, wherein the reply audio message thereafter being converted to a reply text message and transmitted to the another wireless electronic device via the wireless network.

4. (Currently Amended) A wireless headset that supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and

wherein said wireless headset is configured to at least:

play an incoming audio message for the first user via the wireless headset ~~head-set~~, the incoming audio message being produced by converting an incoming text message from a second user, the incoming text message being received at the mobile electronic device via a wireless network; and

receive a reply audio message from the first user via the wireless headset ~~head-set~~ in response to the incoming audio message, the reply audio message thereafter being converted to a reply text message and transmitted to the second user via the wireless network.

REMARKS

In the Office Action, the Examiner objected to the drawings, rejected claims 1-4 under the judicially created Doctrine of Double Patenting (obviousness-type double patenting), and rejected claims 1-4 under 35 USC § 102(b). These objections and rejections are fully traversed below.

The specification has been amended to update the cross reference section. Claim 4 has been amended to improve its form. Claims 1-4 remain pending.

Reconsideration of the application is respectfully requested based on the following remarks.

OBJECTION TO DRAWINGS

In the Office Action, the Examiner objected to the drawings as allegedly not showing location information embedded in a text message. Presently, no claim includes such a limitation and, therefore, this objection is moot. Applicants submit that the present drawings are sufficient to satisfy 37 CFR § 1.83(a). It is respectfully requested that the Examiner withdraw the objection to the drawings.

DOUBLE PATENTING

In the Office Action, the Examiner rejected claims 1-4 under the judicially created Doctrine of Double Patenting in view of claims 1-13 of U.S. Patent No. 7,376,434 and in view of claims 1-23 of U.S. Patent No. 7,890,128. Applicants respectfully disagree. Nevertheless, to expedite prosecution, Applicants submit herewith a Terminal Disclaimer re U.S. Patent No. 7,376,434 and U.S. Patent No. 7,890,128, thereby obviating the double patenting rejections. Accordingly, it is respectfully requested that the double patenting rejections be withdrawn.

PATENTABLY OF CLAIMS

In the Office Action, the Examiner rejected claims 1-4 under 35 USC 102(b) as being anticipated by August et al., US Patent Pub. No. 2000/0946067 A1. Applicants respectfully disagree.

Claim 1 pertains to a wireless communication system that includes a wireless headset and a wireless communication device. The wireless communication device supports wireless communication, including messaging, for a first user. The wireless communication device can wirelessly communicate with the wireless headset. Additionally, claim 1 recites that the wireless communication device is configured to perform the method of:

- receiving an incoming text message from a second user;
- converting the incoming text message to an incoming audio message;
- presenting the incoming audio message for the first user via the wireless headset;
- recording a reply audio message by the first user via the wireless headset;
- converting the reply audio message into a reply text message; and
- transmitting the reply text message to the second user.

August et al. describes allowing a subscriber to use spoken utterances to manage calls (e.g., voice commands or message service information). The abstract of August et al. states:

A real-time networked telephony or computer system has a feature complex and/or applications that offer a class of features to a subscriber, including call information, and permits the subscriber to manage incoming and existing calls through available features accessed using spoken utterances. A speech processing unit coupled to the system interprets a subscriber's spoken utterances without requiring the subscriber to train the system to recognize his or her voice. The speech processing unit may also

convert message signals from the network to speech which is read to the subscriber using a text to speech translator....

The use of spoken utterances in August et al. permits a subscriber to manage incoming and existing calls. In contrast, claim 1 facilitates text messaging for a user to communicate with another user. The spoken utterances in August et al. are not in any way suitable for exchanging of text messages between subscribers as is recited in claim 1.

On page 8 of the Office Action, as to the “receiving an incoming text message from a second user” and the “converting the incoming text message to an incoming audio message” operations of claim 1, the Examiner references paragraphs [0072] and [0075] of August et al. Applicants respectfully disagree as to both.

Fig. 13 of August et al. describes conversion of text to speech for text originating at service platform 802. Any such text originates from a service platform 802 [see [0079]], and is thus not an incoming text message from a second user.

Paragraph [0074] of August et al. also notes that a portion of a message transmitted by MTSO 821 to the handset 822 was previously translated into text (for display on the handset display). This text can then be converted at the handset 822 to audio and relayed to the headset 840 where it can be played. The message in paragraph [0074] of August et al. is a system message, not a text message being exchanged by users. Further, lines 16-22 of paragraph [0075] of August et al. concern receipt of an audio message that is translated to text at the handset 822. Then the text is transmitted to the headset 840 where a TTS engine 857 converts the text to speech that is played at headset 840. Hence, paragraphs [0074] and [0075] of August et al. describe that the original message destined for the handset 822 is a service speech message, not a text message being exchanged by subscribers. Also, in paragraph [0075] of August et al., the system message is received as an audio message at the handset 822

and, therefore, is fundamentally different from receiving an incoming text message from another user as in claim 1.

Paragraph [0072] of August et al. indicates that a mobile terminal 820 can use a headset 840. The headset 840 includes an A/D converter 844 to convert voice commands to a text-based signal. Paragraph [0073] of August et al. states: "Microphone 841 allows a subscriber to speak into headset 840 and to thereby communicate voice commands to the network 800." Paragraph [0074] of August et al. states: "Examples of call flows for a mobile network 800 where a signal originating at a service platform 802 is transmitted by the network 800, is translated at some point from text to speech, and is audible at headset 840 or at handset 822 (with text) if there is no headset 840 connected, are depicted in FIGS. 11A-11D." As such, August et al. fails to teach or suggest receiving an incoming text message from another user and/or converting the incoming text message into an incoming audio message that can be presented to a user.

In addition, as noted above, claim 1 also recites that the wireless communication device is configured to (i) record a reply audio message by the first user via the wireless headset. (ii) convert the reply audio message into a reply text message, and (iii) transmit the reply text message to the second user.

As to these limitations, the Examiner respectively referenced para. [0075], page 9, lines 7-22; para. [0074], page 8, lines 12-18; and para. [0072], page 8, lines 1-4 of August et al. However, after review of the referenced sections, it is concluded that August et al. fails to teach or suggest any of these limitations. Namely, para. [0072], page 8, lines 1-4 of August et al. merely mentions that a wireless headset 840 can be used with handset 822. There is no teaching or suggestion to record a reply audio message in para. [0072] to an incoming text message from another user. Also para. [0074] notes that a service platform 802 sends a message to a handset which "translates the text message to audio and replays the audio message from handset 822 to headset 840 where it is played to the subscriber...." There is thus also no teaching or suggestion for a user to record a reply audio message in para. [0074]. Accordingly, it is submitted that

August et al. also fails to teach or suggest any of “recording a reply audio message by the first user via the wireless headset”, “converting the reply audio message into a reply text message”, and transmitting the reply text message to the second user, as recited in claim 1.

Therefore, it is submitted that claim 1 is patentably distinct from August et al.

Claim 2 pertains to wireless headset that supports messaging for a first user. The wireless headset operatively connects to a mobile electronic device. The wireless headset is configured to:

- wirelessly receive an incoming audio message from the mobile electronic device, the incoming audio message being produced by converting an incoming text message from another wireless electronic device, the incoming text message being received at the mobile electronic device via a wireless network;

- output the incoming audio message for the first user;

- receive a reply audio message from the first user in response to the incoming audio message; and

- wirelessly transmit the reply audio message to the mobile electronic device.

For certain reasons similar to those noted above with respect to claim 1, it is submitted that claim 2 is patentable distinct from August et al. For example, August et al. does not teach or suggest receiving an incoming audio message at the wireless headset (from the mobile electronic device where it was produced by converting an incoming text message), nor does August et al. teach or suggest receiving a reply audio message from a first user in response to the incoming audio message). In addition, it is submitted that dependent claim 3 is also patentably distinct from August et al. for at least the same reasons as claim 2.

Claim 4 pertains to wireless headset that supports messaging for a first user. The wireless headset operatively connects to a mobile electronic device. The wireless headset is configured to:

play an incoming audio message for the first user via the wireless headset, the incoming audio message being produced by converting an incoming text message from a second user, the incoming text message being received at the mobile electronic device via a wireless network; and

receive a reply audio message from the first user via the wireless headset in response to the incoming audio message, the reply audio message thereafter being converted to a reply text message and transmitted to the second user via the wireless network.

For certain reasons similar to those noted above with respect to claim 1, it is submitted that claim 4 is patentable distinct from August et al. For example, August et al. does not teach or suggest playing an incoming audio message for the first user via at the wireless headset, where the incoming audio message is produced by converting an incoming text message from a second user. In addition, August et al. does not teach or suggest receiving a reply audio message from a first user in response to the incoming audio message. Still further, August et al. does not teach or suggest thereafter converting the reply audio message to a reply text message which can be transmitted to the second user.

Based on the foregoing, it is submitted that the independent claims 1, 2 and 4 are patentably distinct from August et al. In addition, it is submitted that dependent claim 3 is also patentably distinct for at least the same reasons as their corresponding independent claims. These claims recite additional limitations that further distinguish these claims from August et al. However, the additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from August et al. Thus, it is respectfully requested that the Examiner withdraw the rejections under 35 USC § 102(b).

SUMMARY

It is submitted that all claims are patentable distinct from August et al. Therefore, it is submitted that claims 1-4 are in condition for allowance. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

Respectfully submitted,

/C. Douglass Thomas/

C. Douglass Thomas
Reg. No. 32,947

(650) 903-9200 x103

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: THOMAS et al.

Application No./Patent No.: 12/987,018

Filed/Issue Date: January 7, 2011

Titled: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

IpVenture, Inc. _____, a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

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

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 016082, Frame 0706, or for which a copy therefore 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.

/C. Douglass Thomas/

Signature

July 5, 2011

Date

C. Douglass Thomas

Printed or Typed Name

Chairman

Title

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

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

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC
DEVICES

**INFORMATION DISCLOSURE STATEMENT
BEFORE FINAL ACTION OR NOTICE OF ALLOWANCE
(37 CFR §§ 1.56 AND 1.97(c))**

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

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which non-U.S. patents are attached, may be material to examination of the above-identified patent application. Applicants submit this reference in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this reference indeed constitutes prior art.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, or after three months of the filing date of this application, whichever event occurred last, but it is believed before the mailing date of either: (i) a final action under §1.113 or (ii) a notice of allowance under §1.311, whichever occurs first.

Accompanying this Information Disclosure Statement is

- ☐ a statement as specified in 37 CFR 1.97(e); or
- ☒ the fee set forth in 37 CFR 1.17(p).

Electronic Fee in payment of the Information Disclosure Statement Fee of \$180.00 is provided herewith. If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMAP03D1C2).

Respectfully submitted,

/C. Douglass Thomas/

C. Douglass Thomas
Registration No: 32,947

5150 El Camino Real
Building A, Suite 22
Los Altos, CA 94022

TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) IPVMAP03D1C2
In re Application of: THOMAS et al. Application No.: 12/987,018 Filed: January 7, 2011 For: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES The owner*, <u>IpVenture, Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. <u>7,376,434</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and 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 as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. 1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. ☒ The undersigned is an attorney or agent of record. Reg. No. <u>32,947</u> <u>/C. Douglass Thomas</u> Signature <u>July 5, 2011</u> Date <u>C. Douglass Thomas</u> Typed or printed name <u>(650) 903-9200, x103</u> Telephone Number ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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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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TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) IPVMAP03D1C2
In re Application of: THOMAS et al. Application No.: 12/987,018 Filed: January 7, 2011 For: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES The owner*, <u>IpVenture, Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. <u>7,890,128</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and 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 as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: - expires for failure to pay a maintenance fee; - is held unenforceable; - is found invalid by a court of competent jurisdiction; - is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; - has all claims canceled by a reexamination certificate; - is reissued; or - is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. 1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. ☒ The undersigned is an attorney or agent of record. Reg. No. <u>32,947</u> <u>/C. Douglass Thomas</u> Signature <u>July 5, 2011</u> Date <u>C. Douglass Thomas</u> Typed or printed name <u>(650) 903-9200, x103</u> Telephone Number ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

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Electronic Patent Application Fee Transmittal				
Application Number:		12987018		
Filing Date:		07-Jan-2011		
Title of Invention:		ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES		
First Named Inventor/Applicant Name:		C. Douglass Thomas		
Filer:		Peter P. Tong		
Attorney Docket Number:		IPVMAP03D1C2		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Statutory or terminal disclaimer	2814	2	70	140
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 1 month with \$0 paid	2251	1	65	65
Miscellaneous:				
Submission- Information Disclosure Stmt	1806	1	180	180
Total in USD (\$)				385

Electronic Acknowledgement Receipt	
EFS ID:	10455663
Application Number:	12987018
International Application Number:	
Confirmation Number:	7597
Title of Invention:	ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES
First Named Inventor/Applicant Name:	C. Douglass Thomas
Customer Number:	34071
Filer:	Peter P. Tong
Filer Authorized By:	
Attorney Docket Number:	IPVMAP03D1C2
Receipt Date:	05-JUL-2011
Filing Date:	07-JAN-2011
Time Stamp:	20:52:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 385
RAM confirmation Number	7060
Deposit Account	503874
Authorized User	THOMAS,C. DOUGLAS
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 1.20 (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	Miscellaneous Incoming Letter	IPVMAP03D1C2AmdATrans7-11.pdf	22900	no	1
			cadd91d1f9a4d3eee39ea3a4558fe3dfa106dad8		
Warnings:					
Information:					
2	Amendment/Req. Reconsideration-After Non-Final Reject	IPVMAP03D1C2AmdA7-11.pdf	56002	no	11
			7724d00c64ba91beb5122ccf421017e5acb0dd60		
Warnings:					
Information:					
3	Assignee showing of ownership per 37 CFR 3.73(b).	IPVMAP03D1C2StatementUnder373b7-11.pdf	422782	no	2
			d6231b9b38885fa2eea65fc72e0666557ba29786		
Warnings:					
Information:					
4	Transmittal Letter	IPVMAP03D1C2IDSTrans7-11.pdf	22732	no	2
			470520960d533238ecfb9cfa3ecdde5fbcdf9427		
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Form (SB08)	IPVMAP03D1C2-1449-7-11.pdf	22942	no	1
			671c64ac25924041ba29579f837a746d78aeeb68		
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
6	Terminal Disclaimer Filed	IPVMAP03D1C2TerminalDiscl7376434.pdf	210343	no	2
			a7e77698a23c5ae7790e234f0e3c5dd81198c81a		
Warnings:					
Information:					
7	Terminal Disclaimer Filed	IPVMAP03D1C2TerminalDiscl7890128.pdf	210349	no	2
			5d9f663a92d364667414242526b03ecfc25f0a67		
Warnings:					
Information:					
8	Fee Worksheet (SB06)	fee-info.pdf	34021	no	2
			2e8fe7f176484acd167c75804dcd9f291c62feb		
Warnings:					
Information:					

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

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: 12/987,018

Examiner: AFSHAR, KAMRAN

Filed: January 7, 2011

Group: 2617

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

AMENDMENT A TRANSMITTAL

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

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	4	MINUS	20	00	x 26 = 0	x 52 =
Independent Claims	3	MINUS	3	00	x 110 = 0	x 220 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$	\$
Total					\$00.00	\$

- ☒ Applicant(s) hereby petition for a one- month extension(s) of time to respond to the aforementioned Office Action.
- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).
- ☒ Any fees due are being paid electronically herewith.
- ☒ Please charge any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 50-3874 (Order No. IPVMAP03D1C2).

Respectfully submitted,

/C. Douglass Thomas/

C. Douglass Thomas
Reg. No. 32,947

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	12/987,018
	Applicant	THOMAS et al.
	Filing Date	January 7, 2011
	Group	2617
		Page 1 of 1

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	2003/0112948 A1	Jun.-03	Brown et al.			
	2.	2003/0191814 A1	Oct.-03	Tran			
	3.	2007/0047522 a1	Mar.-07	Jefferson et al.			
	4.	6,788,766 B2	Sep.-04	Logan			
	5.						
	6.						
	7.						
	8.						
	9.						
	10.						

Foreign Documents

							Translation	
Init.		Document No.	Date	Country	Class	Subclass	Yes	No

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	A	
	B	
	C	
	D	
	E	
	F	
	G	
	H	
	I	

Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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 12/987,018		Filing Date 01/07/2011		☐ To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY ☒ OR		OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =			X \$ =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	07/05/2011	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 4	Minus	** 20	= 0	X \$26 =	0	OR	X \$ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	X \$110 =	0	OR	X \$ =	
☐ Application Size Fee (37 CFR 1.16(s))										
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	
(Column 1)			(Column 2)			(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
☐ Application Size Fee (37 CFR 1.16(s))										
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.										
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".										
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".										
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2	7597
34071 7590 03/28/2011 IPVENTURE, INC. 5150 EL CAMINO REAL SUITE A-22 LOS ALTOS, CA 94022			EXAMINER AFSHAR, KAMRAN	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 03/28/2011	DELIVERY MODE PAPER

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

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

Office Action Summary	Application No. 12/987,018		Applicant(s) THOMAS ET AL.	
	Examiner KAMRAN AFSHAR		Art Unit 2617	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 07 January 2011.

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

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

Disposition of Claims

4) ☒ Claim(s) 1-4 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-4 is/are rejected.

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

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

Application Papers

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

10) ☒ The drawing(s) filed on 07 January 2011 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

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

Priority under 35 U.S.C. § 119

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

a) ☐ All b) ☐ Some * c) ☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>01/07/2011</u> .	4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) ☐ Notice of Informal Patent Application 6) ☐ Other: _____.
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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the **“the incoming text message has embedded location information associated with the second user, the embedded location information is extracted from the incoming text message and used to present location-based information to the first user”** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Double Patenting

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

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

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

3. Claims 1-4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 7,376,434 B2.

Although the conflicting claims are not identical, they are not patentably distinct from each other because all the claimed limitations recited in the present application are transparently found in the U.S. Patent No. 7,376,434 B2 with obvious wording variations. Take an example of comparing claim 1 of pending application and claim 9 of the U.S. Patent No. 7,376,434 B2:

Pending Application 12/074961	U.S. Patent No. 7,376,434 B2
1. <u>A wireless communication system</u>, comprising: <u>a wireless headset</u>; and <u>a wireless communication device</u> that supports wireless communication, <u>including messaging</u>, for a first user, said wireless communication device capable of <u>wirelessly communicating with the wireless headset</u>, wherein said wireless communication device is configured to perform the method of: <u>receiving an incoming text message</u> from a second user; <u>converting the incoming text message to an incoming audio message</u>; <u>presenting the incoming audio message for the first user via the wireless headset</u>; recording a reply audio message by the first user via the wireless headset; <u>converting the reply audio message into a reply text message</u>; and transmitting the reply text message to the second user.	9. <u>A method for facilitating text messaging for a first user of a head-set operatively connected to a computing device</u>, the computing device being operational as a mobile communication device, said method comprising: <u>receiving, at the computing device, an incoming text message</u> from a second user wirelessly; determining whether the <u>head-set</u> is active; <u>converting the incoming text message to an incoming audio message</u> if said determining indicates that the <u>head-set</u> is active; <u>playing the incoming audio message</u> for the first user via the <u>head-set</u> if said determining indicates that the <u>head-set</u> is active; prompting the first user concerning entry of a <u>reply audio message</u>; <u>recording a reply audio message</u> by the first user via the <u>head-set</u>; <u>converting the reply audio message into a reply text message</u>; and transmitting the reply <u>text message</u> from the computing device to the second user, wherein said recording and <u>converting of the reply audio message</u> are performed only when said determining determines that the <u>head-set</u> is active.

The claims of the instant application encompass the same subject matter except the instant “**A wireless communication system**” whereas the U.S. Patent No. 7,376,434 B2 claims are to “**A method for facilitating text messaging for a first user of a head-set operatively connected to a computing device**”. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to implement the U.S. Patent No. 7,535,861 B2 “**A method for facilitating text messaging for a first user of a head-set operatively connected to a computing device**” as a “**A wireless communication system**” because it was notoriously well known to provide a subscriber of use mobile terminal with a **headset** such as a wired **headset** to be plugged into a jack on handset or a wireless **headset** such as the earbud / wireless **headset** communicates with handset over a short range (i.e. Bluetooth)

communications link , such as a Bluetooth link for communicating with other subscribers and entering voice commands, to enable a. subscriber to listen to other subscribers and to **text menus of commands that are translated** to speech, a digital signal processor and a **converter to convert voice commands to a text-based** signal to ease up a call flow in a real-time process.

Further, the instant claims obviously encompass the claimed invention of U.S. Patent No. 7,376,434 B2 and differ only in terminology. To the extent that the instant claims are broaden and therefore generic to the claimed invention of U.S. Patent No. U.S. Patent No. 7,376,434 B2, in re Goodman 29 USPQ 2d 2010 CAFC 1993, states that a generic claim cannot be issued without a terminal disclaimer, if a species claim has been previously been claimed in a co-pending application.

4. Claims 1-4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 7890128 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because all the claimed limitations recited in the present application are transparently found in the U.S. Patent No. 7890128 B1 with obvious wording variations. Take an example of comparing claim 1 of pending application and claim 9 of the U.S. Patent No. 7890128 B1:

Pending Application 12/074961	U.S. Patent No. 7890128 B1
-------------------------------	----------------------------

1. <u>A wireless communication system</u>, comprising: <u>a wireless headset</u>; and <u>a wireless communication device</u> that supports wireless communication, <u>including messaging</u>, for a first user, said wireless communication device capable of <u>wirelessly communicating with the wireless headset</u>, wherein said wireless communication device is configured to perform the method of: <u>receiving an incoming text message</u> from a second user; <u>converting the incoming text message to an incoming audio message</u>; <u>presenting the incoming audio message for the first user via the wireless headset</u>; recording a reply audio message by the first user via the wireless headset; <u>converting the reply audio message into a reply text message</u>; and transmitting the reply text message to the second user.	1. <u>A method for facilitating text messaging for a first user of a mobile electronic device having wireless communication capability, the mobile electronic device having a head-set</u> operatively connected thereto, said method comprising: <u>receiving, at the mobile electronic device, an incoming text message from a second user</u>; <u>converting the incoming text message to an incoming audio message</u>; <u>playing the incoming audio message for the first user via the head-set</u>; <u>recording a reply audio message by the first user via the head-set</u>; <u>converting the reply audio message into a reply text message</u>; and <u>transmitting the reply text message to the second user, wherein the incoming text message is received over a wireless network, and wherein the reply text message is transmitted over the wireless network</u>.
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The claims of the instant application encompass the same subject matter except the instant “**A wireless communication system**” whereas the U.S. Patent No. 7890128 B1 claims are to “**A method for facilitating text messaging for a first user of a mobile electronic device having wireless communication capability, the mobile electronic device having a head-set** operatively connected thereto”. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to implement the U.S. Patent No. 7890128 B1 “**A method for facilitating text messaging for a first user of a mobile electronic device having wireless communication capability, the mobile electronic device having a head-set** operatively connected thereto” as a “**A wireless communication system**” because it was notoriously well known to provide a subscriber of use mobile terminal with a **headset** such as a wired **headset** to be plugged into a jack on handset or a wireless **headset** such as the earbud / wireless **headset** communicates with handset over a short range (i.e. Bluetooth) communications link , such as a Bluetooth link for communicating with other subscribers and entering voice commands, to enable a. subscriber to listen to other subscribers and to **text menus of**

commands that are translated to speech, a digital signal processor and a **converter to convert voice commands to a text**-based signal to ease up a call flow in a real-time process.

Further, the instant claims obviously encompass the claimed invention of U.S. Patent No. 7890128 B1 and differ only in terminology. To the extent that the instant claims are broaden and therefore generic to the claimed invention of U.S. Patent No. U.S. Patent No. 7890128 B1, in re Goodman 29 USPQ 2d 2010 CAFC 1993, states that a generic claim cannot be issued without a terminal disclaimer, if a species claim has been previously been claimed in a co-pending application.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by August (U.S. Pub. No.: 2002/00946067 A1).

With respect to claims 1, 2, and 4, **August** discloses A wireless headset that supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and wherein the wireless headset is configured to at least (See August e.g. Fig. 5C and Subscriber, mobile terminal with headset, Page 8, Lines 1-4 of ¶ [0072]) 822, of Figs 10 A, 11A-11 C); or / A wireless communication system comprising: a wireless headset; and a wireless communication device that supports wireless communication (See August e.g. Fig. 5C and Subscriber, mobile terminal with headset, Page 8, Lines 1-4 of ¶ [0072]) 822, of Figs 10 A, 11A-11 C) of a head-set operatively connected to a computing device (See August e.g. 200, 220, 224, 226, 228, 250, 232 of Fig.

5A, Page 8, Lines 1-5 of ¶ [0072] including messaging, for a first user, the wireless communication device capable of wirelessly communicating with the wireless headset (See August e.g. mobile terminals 820 of Fig. 12, and or 821, 822 or 840 of Fig. 13, text 1230 to 1240 or 1250 as shown in Fig. 13); wherein the wireless communication device is configured to perform the method of (See August e.g. activation button, 852, Bluetooth enabled, subscriber acknowledges, Page 8, Lines 12-18 of ¶ [0074]); receiving an incoming text message from a second user (Page 8, Lines 1-4 of ¶ [0072]); converting the incoming text message to an incoming audio message (See August e.g. converting text to speech (or audio) for (earbud) headset, translation, Page 9, Lines 7-22 of ¶ [0075]); presenting (or playing or output) the incoming audio message for the first user via the wireless headset (See August e.g. activation button, 852, Bluetooth enabled, subscriber acknowledges, Page 8, Lines 12-18 of ¶ [0074]); recording a reply audio message by the first user via the wireless head-set (Page 8, Lines 1-4 of ¶ [0072]); converting the reply audio message into a reply text message (See August e.g. converting text to speech (or audio) for (earbud) headset, translation, Page 9, Lines 7-22 of ¶ [0075]); and transmitting the reply text message from the computing device to the second user (See August e.g. Page 8, Lines 28-35 of 2 [0074], text message, play to headset, display text in abbreviated or acronyms, 914 of Fig. 11A and Page 9, Lines 1-18 of ¶ [0079]).

Regarding claim 3, **August** discloses wherein the reply audio message thereafter being converted to a reply text message and transmitted to the another wireless electronic device via the wireless network. (See August e.g. mobile terminals 820 of Fig. 12, and or 821, 822 or 840 of Fig. 13, text 1230 to 1240 or 1250 as shown in Fig. 13).

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Eng, George** can be reached @ (571) 272-7495. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

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).

/KAMRAN AFSHAR/

Primary Examiner, Art Unit 2617

Notice of References Cited	Application/Control No. 12/987,018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.	
	Examiner KAMRAN AFSHAR	Art Unit 2617	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,890,128	02-2011	Thomas et al.	455/466
	B	US-			
	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
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CONFIRMATION NO. 7597

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
12/987,018	01/07/2011	455	2617	IPVMAP03D1C2		
APPLICANTS C. Douglass Thomas, Campbell, CA; Peter P. Tong, Mountain View, CA; ** CONTINUING DATA ***** This application is a CON of 12/074,961 03/07/2008 PAT 7,890,128 which is a CON of 11/497,651 08/02/2006 PAT 7,376,434 which is a DIV of 11/006,343 12/07/2004 PAT 7,116,976 which claims benefit of 60/527,565 12/08/2003 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 01/19/2011						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /KAMRAN AFSHAR/ Acknowledged Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY CA	SHEETS DRAWINGS 7	TOTAL CLAIMS 4	INDEPENDENT CLAIMS 3
ADDRESS IPVENTURE, INC. 5150 EL CAMINO REAL SUITE A-22 LOS ALTOS, CA 94022 UNITED STATES						
TITLE ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES						
FILING FEE RECEIVED 462	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			

<i>Index of Claims</i> 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner KAMRAN AFSHAR	Art Unit 2617

✓	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	03/23/2011								
	1	✓								
	2	✓								
	3	✓								
	4	✓								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2	("7890128").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2011/03/23 10:13
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S2	65511	text near5 (voice or audio)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:51
S3	1829	S1 same S2	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:51
S4	54822	headset or head-set or headphone or head-phone	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:51

S5	78005	(record\$3 or reply\$3) near5 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:52
S6	25	S3 same S4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:52
S7	19	S5 and S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 10:52
S8	0	"20000946067"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:04
S9	0	"200200946067"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:04
S10	3	"200200946067"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:04

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S13	2	S2 and S12	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:07
S14	2	S4 and S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:08
S15	0	S5 and S14	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:08
S16	99225	(text or speech or voice or audio) near3 (convert\$3 or translat\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:09

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S18	2	S14 and S17	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:17
S19	19	S7 and S17	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:17
S20	21	S18 S19	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:18
S21	568769	(text or limit\$3) near5 (number or word or abbreviat or pronunciat\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:21
S22	13	S20 and S21	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:21

S23	14980	(455/466,414.4,417,412.1,550.1,566,556.1,569.1).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/02/15 11:25
S24	2993	(379/420.01-420.04,211.01,207.02,220.01,88.22).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/02/15 11:26
S25	1972	(704/246,235).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/02/15 11:26
S26	24063	(709/203-206,247).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/02/15 11:26
S27	43364	S23 S24 S25 S26	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 11:26
S28	11	S22 and (subscriber or user or language) near3 (tone or voice or specific or grammar)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 12:24

S29	6	S28 and (hardware near3 (oftware or implement\$3))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 12:26
S30	2	"20070264620"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 13:51
S31	4	"20070254620"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/15 13:52
S32	21782	convert\$3 near3 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S33	65567	text near5 (voice or audio)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S34	1831	S32 same S33	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48

S35	54861	headset or head-set or headphone or head-phone	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S36	78068	(record\$3 or reply\$3) near5 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
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S39	3	"20020094067"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
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S41	2	S39 and S40	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S42	2	S33 and S41	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S43	2	S35 and S42	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
S44	195032	(text or speech or voice or audio) near3 (convert\$3 or translat\$3 or messag\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
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S46	19	S38 and S44	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48

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S48	569268	(text or limit\$3) near5 (number or word or abbreviat or pronunciat\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 06:48
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S50	49780	(text or message) near5 location	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:24
S51	4852	S44 same S50	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:24
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S55	30	S53 and S54	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:24
S56	70384	(speech or voice or audio) near3 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:34
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S58	18238	S56 and S57	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:35

S59	3248	S50 and S58	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:35
S60	9038	text-to-speech	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:35
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S62	344	S61 and (S52 or S53)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:35
S63	76	S61 and (S52 or S53)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:35
S64	23	S63 and embedd\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:41

S65	39	S63 and second adj2 (user or terminal or device or subscriber or phone)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 09:56
S66	30	S65 and (embedd\$3 or attach\$3 or attach\$1ment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 10:00
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S69	131	S68 and (S52 or S53)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/02/16 10:06
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S86	71226	text near5 (voice or audio)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
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S93	35545	(convert\$3 or translat\$3) near3 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S94	2	S92 and S93	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04

S95	2	S86 and S94	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S96	2	S88 and S95	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S97	208697	(text or speech or voice or audio) near3 (convert\$3 or translat\$3 or messag\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S98	2	S96 and S97	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S99	19	S91 and S97	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S100	21	S98 S99	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04

S101	605871	(text or limit\$3) near5 (number or word or abbreviat or pronunciat\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S102	13	S100 and S101	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/08/25 11:04
S103	2	"20080262631"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:08
S104	8	("7403972").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:09
S105	0	chang near lau.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:10
S106	50	chung near lau.in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:10

S107	54366	(text or message) near5 location	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S108	4165	(455/466).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40
S109	7947	(455/456.1-457).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40
S110	76316	(speech or voice or audio) near3 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S111	141261	(text or voice or audio) near3 (convert\$3 or translat\$3 or speech)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S112	19696	S110 and S111	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40

S113	3558	S107 and S112	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S114	9815	text-to-speech	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S115	853	S113 and S114	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S116	85	S115 and (S108 or S109)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S117	27	S116 and embedd\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S118	72645	text near5 (voice or audio)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40

S119	3	"20020094067"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S120	36004	(convert\$3 or translat\$3) near3 messag\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S121	2	S119 and S120	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S122	2	S118 and S121	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40
S123	16848	(455/466,414.4,417,412.1,550.1,566,556.1,569.1).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40
S124	3160	(379/420.01-420.04,211.01,207.02,220.01,88.22).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40

S125	2215	(704/246,235).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40
S126	27872	(709/203-206,247).CCLS.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2010/10/13 09:40
S127	49299	S123 S124 S125 S126	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/13 09:40

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S128	34953	(text or voice or audio) near3 (message or convert\$3 or translat\$3 or speech).clm.	US-PGPUB; USPAT; UPAD	OR	ON	2010/10/13 09:41
S129	6792	(headset or head-set or headphone or head-phone).clm.	US-PGPUB; USPAT; UPAD	OR	ON	2010/10/13 09:41
S130	16376	(present\$3 or pre\$1record\$3 or predetermin\$3 or pre\$1select\$3) near5 messag\$3.clm.	US-PGPUB; USPAT; UPAD	OR	ON	2010/10/13 09:43
S131	1558	(incom\$3 or reply\$3) near5 (audio or voice) near2 (messag\$3 or call or communicat\$3).clm.	US-PGPUB; USPAT; UPAD	OR	ON	2010/10/13 09:45
S132	9	S128 and S129 and S130 and S131	US-PGPUB; USPAT; UPAD	OR	ON	2010/10/13 09:45

3/23/2011 11:06:44 AM

C:\Documents and Settings\kafshar\My Documents\EAST\Workspaces\12074961.wsp

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 1 of 4

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	4.	5,828,731	Oct. 98	Szlam et al.			
	5.	5,930,700	Jul.-99	Pepper et al.			
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/K.A./	27.	7,376,434	May-08	Thomas et al.			

Examiner /Kamran Afshar/	Date Considered 03/23/2011
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	Application No.:	To be assigned
	Applicant	THOMAS et al.
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	Group	To be assigned
		Page 2 of 4

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							Translation	
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		WO 01/45343 A2	Jun-01	PCT				

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	JJ	Notice of Allowance for U.S. Patent Application No. 11/497,651 dated Nov. 27, 2007.
	KK	Office Action for U.S. Patent Application No. 12/074,961, dated February 22, 2010.
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Examiner /Kamran Afshar/	Date Considered 03/23/2011
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Search Notes 	Application/Control No. 12987018	Applicant(s)/Patent Under Reexamination THOMAS ET AL.
	Examiner KAMRAN AFSHAR	Art Unit 2617

SEARCHED			
Class	Subclass	Date	Examiner
455	466,414.4,417,412.1,550.1,566,556.1,569.1,518	3/23/2011	KA
379	420.01-420.04,211.01,207.02,220.01,88.22	3/23/2011	KA
704	246,235	3/23/2011	KA

SEARCH NOTES		
Search Notes	Date	Examiner
East Search	3/23/2011	KA

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/987,018	01/07/2011	2617	462	IPVMAP03D1C2	4	3

CONFIRMATION NO. 7597

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IPVENTURE, INC.
5150 EL CAMINO REAL
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LOS ALTOS, CA 94022

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Date Mailed: 01/20/2011

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Applicant(s)

C. Douglass Thomas, Campbell, CA;
Peter P. Tong, Mountain View, CA;

Power of Attorney: The patent practitioners associated with Customer Number 34071

Domestic Priority data as claimed by applicant

This application is a CON of 12/074,961 03/07/2008
which is a CON of 11/497,651 08/02/2006 PAT 7,376,434
which is a DIV of 11/006,343 12/07/2004 PAT 7,116,976
which claims benefit of 60/527,565 12/08/2003

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/987,018**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

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Preliminary Class

455

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 12/987,018	
APPLICATION AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	82		N/A	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	270		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	110		N/A	
TOTAL CLAIMS (37 CFR 1.16(j))	4	minus 20 = *	x 26 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x 110 =	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 \$270 (\$135 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		TOTAL	
				462			
APPLICATION AS AMENDED - PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		OTHER THAN SMALL ENTITY
	Total (37 CFR 1.16(i))	*	Minus **	=	x =	OR	RATE(\$)
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =	OR	ADDITIONAL FEE(\$)
	Application Size Fee (37 CFR 1.16(s))					OR	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		OTHER THAN SMALL ENTITY
	Total (37 CFR 1.16(i))	*	Minus **	=	x =	OR	RATE(\$)
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =	OR	ADDITIONAL FEE(\$)
	Application Size Fee (37 CFR 1.16(s))					OR	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** 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
12/987,018	01/07/2011	C. Douglass Thomas	IPVMAP03D1C2

CONFIRMATION NO. 7597

POA ACCEPTANCE LETTER

34071
IPVENTURE, INC.
5150 EL CAMINO REAL
SUITE A-22
LOS ALTOS, CA 94022



Date Mailed: 01/20/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/07/2011.

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.

/ttran/

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	<i>Attorney Docket No.</i>	IPVMAP03D1C2
	<i>First Inventor</i>	THOMAS et al.
	<i>Title</i>	ADAPTABLE COMMUNICATION TECHNI
	<i>Express Mail Label No.</i>	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450										
1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. ☒ Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. ☒ Specification [Total Pages <u>31</u>] <i>Both the claims and abstract must start on a new page (For information on the preferred arrangement, see MPEP 608.01(a))</i> 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets <u>7</u>] 5. Oath or Declaration [Total Sheets <u>2</u>] a. ☐ Newly executed (original or copy) b. ☒ A copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. ☐ DELETION OF INVENTOR(S) <i>Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i> 6. ☒ Application Data Sheet. See 37 CFR 1.76 7. ☐ CD-ROM or CD-R in duplicate, large table or <i>Computer Program (Appendix)</i> ☐ Landscape Table on CD 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, items a. – c. are required)</i> 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	ACCOMPANYING APPLICATION PARTS 9. ☐ Assignment Papers (cover sheet & document(s)) Name of Assignee _____ _____ 10. ☒ 37 CFR 3.73(b) Statement ☒ Power of Attorney <i>(when there is an assignee)</i> 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) <i>(Should be specifically itemized)</i> 15. ☐ Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). <i>Applicant must attach form PTO/SB/35 or equivalent.</i> 17. ☐ Other: _____										
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: <u>12/074,961</u> <i>Prior application information:</i> Examiner <u>AFSHAR, KAMRAN</u> Art Unit: <u>2617</u>											
19. CORRESPONDENCE ADDRESS ☒ The address associated with Customer Number: 34071 OR ☐ Correspondence address below											
<table border="1" style="width: 100%;"> <tr> <td colspan="2">Name</td> </tr> <tr> <td colspan="2">Address</td> </tr> <tr> <td>City</td> <td>State</td> </tr> <tr> <td>Country</td> <td>Zip Code</td> </tr> <tr> <td>Telephone</td> <td>Email</td> </tr> </table>		Name		Address		City	State	Country	Zip Code	Telephone	Email
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<table border="1" style="width: 100%;"> <tr> <td>Signature</td> <td>/C. Douglass Thomas/</td> <td>Date</td> <td>January 7, 2011</td> </tr> <tr> <td>Name (Print/Type)</td> <td>C. Douglass Thomas</td> <td>Registration No. (Attorney/Agent)</td> <td>32,947</td> </tr> </table>		Signature	/C. Douglass Thomas/	Date	January 7, 2011	Name (Print/Type)	C. Douglass Thomas	Registration No. (Attorney/Agent)	32,947		
Signature	/C. Douglass Thomas/	Date	January 7, 2011								
Name (Print/Type)	C. Douglass Thomas	Registration No. (Attorney/Agent)	32,947								

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.**

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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.
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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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ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application is a continuation application of U.S. Patent Application No. 12/074,961, filed March 7, 2008, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference, and which is a continuation application of U.S. Patent Application No. 11/497,651, filed August 2, 2006, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference, and which is a divisional application of U.S. Patent Application No. 11/006,343, filed December 7, 2004, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference, and which claims priority to U.S. Provisional Patent Application No. 60/527,565, filed December 8, 2003, and entitled "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES," which is hereby incorporated herein by reference.

FIELD OF THE INVENTION

[0002] The present invention relates to electronic devices and, more particularly, to communication techniques for electronic devices.

BACKGROUND OF THE INVENTION

[0003] Typically, to participate in wireless communications, a user holds a mobile phone (e.g., wireless or a cellular phone) against his ear to hear an audio communication received in a wireless manner. The user usually also speaks towards a microphone embedded in the mobile phone to participate in the audio communication, again in a wireless manner. More recently, to facilitate hands-free operation of mobile phones, head-sets have been produced and utilized. Typically,

a headset clips over or into an ear of the user to provide a speaker and a microphone in proximity to the ear and the mouth, respectively, of the user. Traditionally, the head-set was connected to the mobile phone by a cord (i.e., wire). In recent times, head-sets have been developed to operate in a wireless manner, without the need of a cord connected to the mobile phone. For example, one popular type of wireless head-set uses Bluetooth wireless transmissions to communicate between the head-set and the corresponding mobile phone.

[0004] Mobile phones often support both voice calls and text messaging. When the user does not make use of a head-set, the user often holds the mobile phone against their ear when participating in a voice call. One problem this presents is that the user is not able to see the screen of the mobile phone. As a result, the user has difficulty interacting with the keypad or screen of the mobile phone when the mobile phone is held against the user's head. Alternatively, when the user of a mobile phone makes use of a head-set, the user can receive and participate in voice calls in a hands-free manner. Unfortunately, however, the user would need to view a screen of the mobile phone to participate in text messaging.

[0005] Accordingly, there is a need for improved wireless communication techniques for users of mobile communication devices.

SUMMARY OF THE INVENTION

[0006] The invention pertains to improved approaches for users of electronic devices to communicate with one another. The electronic devices have audio and/or textual output capabilities. The improved approaches can enable users to communicate in different ways depending on device configuration, user preferences, prior history, etc. In one embodiment, the communication between users is achieved by short audio or textual messages.

[0007] According to a first aspect, improved approaches to respond to incoming voice calls are disclosed. The improved approaches enable a called party to provide some information to a calling party without directly engaging in a voice call with the calling party. The called party can choose not to take the voice call from the calling party. Instead, the called party can provide the calling party with some limited information. The limited information can be provided in an audio or textual format. In one embodiment, the limited information provides the calling party with feedback as to why the voice call was not taken.

[0008] According to a second aspect, improved approaches to respond to an incoming text message are disclosed. The improved approaches enable a recipient to provide a reply message to an initiator. The incoming text message can be presented to the recipient with an audio or textual presentation. Thereafter, a reply text message can be sent back to the initiator. The recipient can form the reply text message by recording a brief audio message or entering a text message. In the case in which a brief audio message is used, the audio message can be automatically converted to a text message before being transmitted to the initiator.

[0009] The electronic device can be a computing device, such as a personal computer, a personal digital assistant, or a communications device. One example of a communications device is a mobile telephone.

[0010] The invention can be implemented in numerous ways, including as a method, system, device, apparatus, and a computer readable medium. Several embodiments of the invention are discussed below.

[0011] In accordance with one embodiment, a wireless communication system can, for example, include at least a wireless headset, and a wireless communication device that supports wireless communication, including messaging, for a first user. The wireless communication device is capable of wirelessly communicating with the wireless headset. The wireless communication device is configured to perform the method of: receiving an incoming text message from a second user; converting the incoming text message to an incoming audio message; presenting the incoming audio message for the first user via the wireless headset; recording a reply audio message by the first user via the wireless headset; converting the reply audio message into a reply text message; and transmitting the reply text message to the second user.

[0012] In accordance with another embodiment, a wireless headset can support messaging for a first user, wherein the wireless headset operatively connects to a mobile electronic device having wireless communication capability. The wireless headset can be configured to at least: wirelessly receive an incoming audio message from the mobile electronic device, the incoming audio message being produced by converting an incoming text message from another wireless electronic device, the incoming text message being received at the mobile electronic device via a wireless network; output the incoming audio message for the first user; receive a reply audio message from the first user in response to the incoming audio message; and wirelessly transmit the reply audio message to the mobile electronic device.

[0013] In accordance with another embodiment, a wireless headset can support messaging for a first user, wherein the wireless headset operatively connects to a mobile electronic device having wireless communication capability. The wireless headset can be configured to play an incoming audio message for the first user via the wireless head-set. The incoming audio message can be produced by converting an incoming text message from a second user, wherein the incoming text message can be received at the mobile electronic device via a wireless network. The wireless headset can also be configured to receive a reply audio message from

the first user via the wireless head-set in response to the incoming audio message. The reply audio message can thereafter be converted to a reply text message and transmitted to the second user via the wireless network.

[0014] Other aspects and advantages of the invention will become apparent from the following detailed description taken in conjunction with the accompanying drawings which illustrate, by way of example, the principles of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

[0015] The invention will be readily understood by the following detailed description in conjunction with the accompanying drawings, wherein like reference numerals designate like structural elements, and in which:

[0016] FIG. 1 is a communication system according to one embodiment of the invention.

[0017] FIG. 2 is a flow diagram of a personal call response process according to one embodiment of the invention.

[0018] FIG. 3 is a flow diagram of an audio message response process according to one embodiment of the invention.

[0019] FIG. 4 is a flow diagram of a text message response process according to one embodiment of the invention.

[0020] FIG. 5 is a flow diagram of an automated call response process according to one embodiment of the invention.

[0021] FIG. 6 is a flow diagram of a message presentation process according to one embodiment of the invention.

[0022] FIG. 7 is a flow diagram of a reply message process according to one embodiment of the invention.

DETAILED DESCRIPTION OF THE INVENTION

[0023] The invention pertains to improved approaches for users of electronic devices to communicate with one another. The electronic devices have audio and/or textual output capabilities. The improved approaches can enable users to communicate in different ways depending on device configuration, user preferences, prior history, time or other criteria. In one embodiment, the communication between users is achieved by short audio or textual messages.

[0024] The electronic device can be any computing device having communication capabilities. Such computing devices can be referred to as communication devices. Examples of electronic devices include personal computers, personal digital assistants, pagers or mobile telephones.

[0025] Embodiments of the invention are discussed below with reference to FIGs. 1 – 7. However, those skilled in the art will readily appreciate that the detailed description given herein with respect to these figures is for explanatory purposes as the invention extends beyond these limited embodiments.

[0026] FIG. 1 is a communication system 100 according to one embodiment of the invention. The communication system 100 can support different communication devices, including mobile telephones 102, computers 104 (e.g., personal computers) and/or wireless personal digital assistants (PDAs) 106. Users of the communication devices 102-106 can communicate with like or different communication devices. Each communication device 102-106 offers one or both of audio or textual communication capabilities. These communication devices 102-106 can inter-communicate with one another through a network 108. The network 108 can include one or more of voice networks and data networks. For example, one network is a data network providing a slow speed data channel for transmission of Short Message Service (SMS) messages (which are typically limited to 160 text characters) to a Short Message Service Center (SMSC) and then forwarded on to the destination. Besides short messages (e.g., SMS messages), the network 108 can also support other messaging protocols for sending and receiving enhanced

messages (EMS), multimedia messages (MMS), email and fax messages. Other networks support faster data channels and voice channels, such as GPRS, UMTS, G4, GSM, CDMA and various protocols, such as UDP, TCP, WAP, PDP other protocols.

[0027] According to one embodiment of the invention, one of the communication devices 102-106 can send a short message to another of the communication devices 102-106. The short message can be text-based or audio-based. The sending communication device allows its user to create the short message as the user desires and/or as the device permits. For example, the user might interact with a keypad or keyboard to enter the short message, or the user might record audio inputs (e.g., speech) for the short message. The short message can then be sent to the receiving communication device. The sending of the short message may involve converting the short message from an audio message to a text message, or vice versa. Also, the receiving communication device can further convert the short message from audio-to-text or from text-to-audio. In any case, the short message is presented (e.g., displayed or played) to the user of the receiving communication device. The presentation can vary as the user desires or as the device permits.

[0028] A first aspect of the invention pertains to improved approaches to respond to incoming voice calls. The improved approaches enable a called party (i.e., a party being called) to provide some information to a calling party without directly engaging in a voice call with the calling party. The called party can choose not to take the voice call from the calling party. Instead, the called party can provide the calling party with some limited information. The limited information can be provided in an audio or textual format. In one embodiment, the limited information provides the calling party with feedback as to why the voice call was not taken.

[0029] FIG. 2 is a flow diagram of a personal call response process 200 according to one embodiment of the invention. The personal call response process 200 is performed by an electronic device, such as a mobile communication device

(e.g., mobile telephone). The personal call response process 200 begins with a decision 202 that determines whether there is an incoming voice call. When the decision 202 determines that there is no incoming voice call, then the personal call response process 200 awaits such a call. Once the decision 202 determines that there is an incoming voice call, a decision 204 determines whether the incoming voice call is to be answered. Typically, the user of the electronic device would signal the electronic device as to whether or not to answer the incoming voice call. Alternatively, the electronic device could automatically decide whether to answer the call.

[0030] When the decision 204 determines that the user desires the incoming voice call to be answered, the incoming voice call is answered 206 and the user engages 208 in a voice call with the calling party. A decision 210 then determines whether the call has ended. When the decision 210 determines that the call has not yet ended, then the personal call response process 200 can return to repeat the block 208 while the voice call continues. Once the decision 210 determines that the voice call has ended, then the personal call response process 200 ends.

[0031] When the decision 204 determines that the user does not desire to answer the incoming voice call, a decision 212 determines whether the user desires to provide an audio message to the calling party. When the decision 212 determines that the user does desire to provide an audio message to the calling party, an audio message is obtained and sent 214 to the calling party (caller).

[0032] Alternatively, when the decision 212 determines that the user does not desire to provide an audio message, a decision 216 determines whether the user desires to provide a text message to the calling party. When the decision 216 determines that the user desires to provide a text message to the calling party, a text message is obtained and sent 218 to the calling party.

[0033] Still further, when the decision 216 determines that the user does not desire to provide a text message to the calling party, a decision 220 determines whether the incoming voice call is to be directed to voice mail. When the decision

220 determines that the incoming voice call should be directed to voice mail, then the incoming voice call is directed 222 to voice mail. On the other hand, when the decision 220 determines that the incoming voice call is not to be directed to voice mail, the incoming voice call is dropped 224. Following the blocks 214, 218, 222 and 224, the personal call response process 200 is complete and ends.

[0034] In another embodiment, a personal call response process could announce the calling party to the called party (user). In announcing the calling party, the personal call response process would present the called party with information pertaining to the calling party (e.g., display or audio sound). Such information could, for example, help the called party to decide whether to answer the incoming voice call. The information can, for example, include one or more of name (individual or business), telephone number, or other caller identification. The information could also include status information of the calling party, such as position, health, mood, etc. As an example, the information could be presented to the user prior to the decision 204 of the personal call response process 200 shown in FIG. 2.

[0035] In still another embodiment, an automated decision process to decide whether to answer a call can be based on time (e.g., decision 204). For example, the called party can previously set a rule, such as that from midnight to 6 am, the party does not want to answer voice calls. Then, during this time period, the electronic device can automatically decide not to answer incoming calls. In one implementation, when the electronic device decides not to answer incoming calls, no indication of incoming calls will be provided to the called party. For example, from midnight to 6 am, the device would not produce any ring tone. Additionally, if desired, the called party can also configure the electronic device to automatically provide an audio message or a text message to the calling party (e.g., "I'm asleep call me tomorrow").

[0036] FIG. 3 is a flow diagram of an audio message response process 300 according to one embodiment of the invention. The audio message response

process 300 is, for example, suitable for use as the processing carried out by block 214 illustrated in FIG. 2.

[0037] The audio message response process 300 initially answers 302 the incoming voice call. In this operation, the incoming voice call is answered 302 but not in a traditional way. Instead, the electronic circuitry associated with a mobile communication device (e.g., mobile telephone) that receives the incoming voice call operates to answer the incoming voice call for purposes of an audio message response. For example, a voice channel is established between the calling party and the mobile communication device, but the speaker and microphone of the mobile communication device are disabled. In effect, in such an embodiment, neither the called party nor the calling party perceives that the voice calling has been answered.

[0038] Next, one or more predetermined audio messages can be presented 304 by the mobile communication device. The presentation 304 of the one or more predetermined audio messages can, for example, be achieved by audio or visual means. For example, the predetermined audio messages can be audio output to a speaker associated with the mobile communication device for the called party or can be visual output (e.g., text) to a display of the mobile communication device for the called party (e.g., user of the mobile communication device).

[0039] A decision 306 then determines whether a predetermined audio message has been selected. Here, the decision 306 determines whether the user (i.e., called party) of the mobile communication device has selected one or more of the predetermined audio messages. When the decision 306 determines that a predetermined audio message has been selected, then the selected audio message is played 308 for the calling party. Here, the mobile communication device can output the selected audio message to the calling party over the voice channel. Typically, the mobile communication device of the called party would not produce an audible output at the mobile communication device, so that the called party would not be disturbed by the sending of the audio response. The predetermined audio

messages are normally short messages (e.g., not more than 160 characters) so that the duration of time the voice channel is needed and/or the amount of network bandwidth consumed is minimal.

[0040] On the other hand, when the decision 306 determines that none of the predetermined audio messages have been selected, then a decision 310 determines whether a custom audio message is requested. A custom audio message is an audio message that is specifically provided for the calling party. When the decision 310 determines that a custom audio message is not being requested, then the audio message response process 300 returns to repeat the decision 306 and subsequent operations. Alternatively, when the decision 310 determines that a custom audio message is requested, then a custom audio message is recorded 312. Thereafter, the custom audio message that has been recorded can be played 314 for the calling party (caller). Here, typically, the custom audio message would be output by the mobile communication device of the called party over the voice channel to the calling party. Typically, the mobile communication device of the called party would not produce an audible output at the mobile communication device, so that the called party would not be disturbed by the sending of the audio response. The custom audio messages are also normally short messages (e.g., not more than 160 characters) so that the duration of time the voice channel is needed and/or the amount of network bandwidth consumed is minimal.

[0041] Following the operations 308 and 314, the incoming voice call is closed 316. In other words, after the selected audio message or the custom audio message is played 308, 314, the incoming voice call can be closed 316. Following the block 316, the audio message response process 300 is complete and ends.

[0042] The predetermined audio messages that are presented 304 to a called party can be determined in a static or dynamic manner. A static determination would, for example, be when the called party has previously set or recorded an audio message to be utilized. Typically, with static determination, the list of audio messages remains the same (i.e., static) until changed (e.g., by the called party). A

dynamic determination would allow the audio messages in the list (or the ordering of the audio messages in the list) to change without specific action by the user or the called party. For example, the list or ordering of the audio messages can depend on preference settings, configuration information, or prior usage. Prior usage can include biasing the list of audio messages such that those messages being most often selected appear higher in the list. The list or ordering of the audio messages can also depend on the calling party, type of calling party, location of calling party or called party, and the like. The list of audio messages can be represented by text and/or graphics (e.g., icons).

[0043] The audio message response process 300 flexibly enables a user to either select one or more predetermined audio messages or provide a custom audio message to be used as an audio message response to a calling party. However, it should be recognized that, in other embodiments, an audio message response process can alternatively simply pertain to only providing a custom audio message, or only permitting selection of a predetermined audio message. Further, in still other embodiments, an audio message response process can first determine whether a custom audio message is to be provided before presenting predetermined audio messages. In yet other embodiments, an audio message response process can answer the incoming voice call later in the processing than operation 302 as shown in FIG. 3 (e.g., before operations 308 and 314).

[0044] FIG. 4 is a flow diagram of a text message response process 400 according to one embodiment of the invention. The text message response process 400 is, for example, processing performed by the block 218 illustrated in FIG. 2.

[0045] The text message response process 400 initially drops 402 the incoming voice call. Here, the information to be supplied to the calling party is a short text message; therefore, there is no need for a voice channel.

[0046] Next, one or more predetermined text messages are displayed 404. Here, the one or more predetermined text messages would normally be displayed on a display screen associated with the mobile communication device being utilized by

the called party. A decision 406 then determines whether one (or more) of the predetermined text messages has been selected. When the decision 406 determines that a predetermined text message has been selected, then the selected text message is transmitted 408 to the caller (i.e., the calling party).

[0047] On the other hand, when the decision 406 determines that a predetermined text message has not been selected, then a decision 410 determines whether a custom text message is requested. When the decision 410 determines that a custom text message is not requested, then the text message response process 400 returns to repeat the decision 406 and subsequent operations. Alternatively, when the decision 410 determines that a custom text message is requested, then the custom text message is entered 412. Here, the called party interacts with the mobile communication device to enter the custom text message. Then, the custom text message is transmitted 414 to the caller. In one embodiment, the transmission 408, 414 of the text message can be performed over a communication network, such as a network having a Short Message Service Center (SMSC) supporting Short Message Service (SMS) messages. Following the transmission 408 of the selected text message or the transmission 414 of the custom text message, the text message response process 400 is complete and ends.

[0048] An alternative embodiment of a text message response process could operate to answer the incoming voice call and announce to the caller that a text message will be forthcoming. Then, the incoming voice call could be promptly dropped. This additional operation could, for example, be used with the text message response process 400 by providing an additional operation prior to the block 402 illustrated in FIG. 4.

[0049] The predetermined text messages being displayed 404 to a called party can be determined in a static or dynamic manner. A static determination would, for example, be a text message the called party has previously set or entered. Typically, with static determination, the list of text messages remains the

same (i.e., static) until changed (e.g., by the called party). A dynamic determination would allow the text messages in the list (or the ordering of the text messages in the list) to change automatically, and not by the user. For example, the list or ordering of the text messages can depend on preference settings, configuration information, or prior usage. To illustrate, prior usage can include biasing the list of text messages such that those messages being most often selected appear higher in the list. The list or ordering of the text messages can also depend on the calling party, type of calling party, location of calling party or called party, and the like. The list of text messages can identify each text message with text (e.g., at least a portion of the corresponding text message, or an abbreviation) and/or graphics (e.g., icons).

[0050] The text message response process 400 flexibly enables a user to either select one or more predetermined text messages or provide a custom text message to be used as a text message response to a calling party. However, it should be recognized that, in other embodiments, a text message response process can alternatively simply pertain to only providing a custom text message, or only permitting selection of a predetermined text message. Further, in still other embodiments, a text message response process can first determine whether a custom text message is to be provided before presenting predetermined text messages.

[0051] FIG. 5 is a flow diagram of an automated call response process 500 according to one embodiment of the invention. The automatic call response process 500 is substantially similar in many ways to the personal call response process 200 illustrated in FIG. 2. However, the automated call response process 500 operates to reduce user input at the mobile communication device by making use of stored data pertaining to its hardware components, configuration or preferences. In this regard, the automatic call response process 500 includes a decision 502 that determines whether a head-set is active. When the decision 502 determines that a head-set is active, then the automatic call response process 500 can prefer, suggest or require the user to obtain and send 214 an audio message to the caller in response to an incoming voice call. Alternatively, when the decision 502 determines that a head-set

is not active, then a decision 504 can determine whether a display is present. In other words, the decision 504 can determine whether the mobile communication device has a display. When the decision 504 determines that the mobile communication device does have a display, then the mobile communication device can operate to obtain and send 218 a text message to the caller. Of course, this assumes that the caller can support text messages even though they initially called with a voice call. Hence, in another embodiment, the automatic call response process can operate to query or obtain information regarding the caller's communication device capabilities.

[0052] An exemplary scenario of how the previously described automatic call response process could work according to one implementation is as follows:

[0053] 1. From his mobile phone, Bill calls Tom's mobile phone.

[0054] 2. Tom is alerted by his mobile phone of an incoming call. Optionally, caller information (i.e., pertaining to Bill) can be displayed or announced to Tom.

[0055] 3. Tom can choose to answer the incoming call or decline to answer the call.

[0056] 4. In the event that Tom declines to answer the call, Tom can have the opportunity to provide the caller with a brief audio or text message.

[0057] 5. If an audio message is to be provided, then Tom can either record a personalized message or select one of a plurality of predetermined audio messages. In this case, the incoming call is answered by Tom's mobile phone and then the audio message is played for the caller, thereafter the call is dropped. The audio messages are typically brief (i.e., short), and examples of audio messages are: (i) "Will call in 10 minutes," (ii) "Cannot talk now," (iii) "I'm in a meeting," or (iv) "Please don't call anymore."

[0058] 6. On the other hand, if a text message is to be provided, then Tom can either enter a personalized text message or select from a plurality of

predetermined text messages. In this case, the incoming call is dropped, and the entered text message or the selected one of the predetermined text messages is sent. Examples of text messages are: (i) "Will call in 10 minutes," (ii) "Cannot talk now," (iii) "I'm in a meeting," or (iv) "Please don't call anymore." The text messages can be English (or other language) words or phrases, or can be condensed text strings (e.g., such as slang or chat language). In one embodiment, the predetermined text messages presented to Tom can be dependent on some criteria (i.e., automatically selected). Alternatively, it is possible that Tom might want to edit the predetermined text message, such can be permitted. As yet another example, the text message can embed dynamic information, such as position, e.g., "I'm in [position] now, so I'll get back to you later." The position can be determined using a GPS receiver in the mobile phone or acquired by a remote computer and provided to the mobile phone. The position may also be further processed (locally or remotely) into a more user-friendly form, such as city, school, restaurant name, or street type addresses. The position could also be used above to assist the user in deciding whether to answer the incoming call or decline to answer the call.

[0059] 7. If hardware components, configuration or preferences are taken into consideration, as illustrated in FIG. 5, the above scenario can be modified. For example, if Tom is using a head-set with his mobile phone, then an audio message may be most convenient, assuming that Tom wants to provide a particular (i.e., customized) message to Bill. The head-set allows Tom to record a brief audio message. Less conveniently, the head-set can be used to present a list of predetermined audio messages and allow Tom's selection therefrom by a button or voice-command.

[0060] 8. If Tom is not using a head-set, then a text message response might be more suitable. This would typically require that Tom's mobile phone have a display and a keypad. Even so, without a head-set, Tom could still record an audio message, though such would likely be less convenient.

[0061] 9. Tom can also not provide an audio message or a text message and simply let the incoming call roll-over into voice mail.

[0062] The exemplary scenario can also be used in a case where the called party is using one line but the mobile device has multi-line capabilities or call waiting. In such case, the mobile phone can enable the called party to provide a brief audio or text message to the calling party as noted above. Alternatively, the mobile phone can itself automatically (i.e., without user input) respond to the calling party via an audio or text message since the mobile phone is aware that the called party is on the other line.

[0063] In this aspect of the invention, the calling party and the called party often use mobile communication devices, such as mobile phones. However, the parties can alternatively use other electronic devices, such as a PDA, a computer, etc. Further, the option to provide a text response could be prevented if the caller's device is known to not support text messages.

[0064] The advantages of the previously described embodiments are numerous. Different embodiments or implementations may yield different advantages. One advantage is that communications for users of electronic devices can be flexibly provided. Another advantage is that communication mode changes can be performed at an electronic device to better suit the needs or condition of the electronic device or user preferences. In still another advantage, a user can provide feedback to a caller without answering a voice call from the caller.

[0065] Another aspect of the invention pertains to improved approaches to respond to an incoming text message. The improved approaches enable a recipient to provide a reply message to an initiator. The incoming text message can be presented to the recipient with an audio or textual presentation. Thereafter, a reply text message can be sent back to the initiator. The recipient can form the reply text message by recording a brief audio message or entering a text message. In the case in which a brief audio message is used, the audio message can be automatically converted to a text message before being transmitted to the initiator.

[0066] FIG. 6 is a flow diagram of a message presentation process 600 according to one embodiment of the invention. The message presentation process 600 is performed by an electronic device, such as a mobile communication device.

[0067] The message presentation process 600 begins with a decision 602 that determines whether an incoming text message is present. Typically, the incoming text message would be transmitted to the mobile communication device from another communication device. When the decision 602 determines that an incoming text message is not present, then the message presentation process 600 awaits such message. Once the decision 602 determines that an incoming text message has been received, a decision 604 determines whether an audio or text presentation is to be utilized. The decision 604 can be performed in a variety of different ways. For example, the determination of whether to utilize an audio or text presentation can be based on user input or can be automatically determined through a use of configuration or preference information or hardware components (e.g., display, speaker, head-set).

[0068] When the decision 604 determines that an audio presentation is to be utilized, the incoming text message is converted 606 to an audio message. For example, a text-to-speech conversion can be performed. In one embodiment, a user of the electronic device can be permitted to choose speech characteristics, such as a voice, tone, pace, accent, or mood, for the resulting speech. For example, a user could choose speech characteristics by preference settings. In another embodiment, the incoming text message can include or reference speech characteristics so that the initiator can control or influence speech characteristics. In still another embodiment, if the text to be converted contains condensed text (e.g., such as slang or chat language), the resulting speech can pertain to an uncondensed form of the text. The ability to convert from condensed text to resulting speech for uncondensed text can be facilitated by pattern matching. For example, in chat language “LOL” can be converted to an audio message for “lots of love.” In one implementation, a table can store audio messages corresponding to chat terms or phrases. In another implementation, a first table would store

uncompressed terms or phrases corresponding to chat terms or phrases, and a second table would store audio messages corresponding to the uncompressed terms or phrases.

[0069] After the incoming text message is converted to the audio message, the audio message is played 608. Typically, the audio message is played 608 by the mobile communication device for the user. For example, the audio message can be output to a speaker of the mobile communication device or a headset used therewith. As a result, the user of the mobile wireless communication device receives an audio message even though the incoming message was a text message.

[0070] On the other hand, when the decision 604 determines that a text presentation is to be utilized, the incoming text message is displayed 610. Here, the incoming text message would be displayed 610 on a display associated with the mobile communication device. Following the blocks 608 and 610, the message presentation process 600 ends.

[0071] As discussed above, text-to-speech conversion can be invoked and performed on an electronic device, which may be a mobile communication device. While text-to-speech conversion, particularly if high quality is desired, requires substantial processing capabilities, mobile electronic devices, such as mobile communication devices, given their small form factor and price competition, tend to have limited processing capability. Accordingly, in one embodiment, text-to-speech conversion can be off-loaded from the mobile device. For example, a remote server computer can be provided the text message and produce the resulting audio message, and then supply the audio message to the mobile device. The remote server computer can be a networked server coupled to the network 108. One example of a networked server is a gateway computer for a wireless electronic device, such as a mobile telephone.

[0072] FIG. 7 is a flow diagram of a reply message process 700 according to one embodiment of the invention. The reply message process 700 is performed by an electronic device, such as a mobile communication device.

[0073] The reply message process 700 begins with a decision 702 that determines whether a reply message is to be sent. Typically, the reply message process 700 follows the presentation of an incoming text message to a user of a mobile communication device. Hence, the reply message to be sent is a reply to the incoming text message. However, in other embodiments, the reply message to be sent can be merely an initial message as opposed to a response to an earlier message.

[0074] In any case, when the decision 702 determines that a reply message is not to be sent, then the reply message process 700 ends or simply awaits the need to send a reply message. On the other hand, when the decision 702 determines that a reply message is to be sent, then a decision 704 determines whether an audio or text message is to be formed. The decision 704 can be performed in a variety of different ways. For example, the determination of whether to send an audio or text message can be based on user input or can be automatically determined through a use of configuration or preference information or hardware components (e.g., display, speaker, head-set).

[0075] When the decision 704 determines that an audio message is to be formed, then the reply message process 700 prompts 706 for an audio message. Here, the prompt 706 can be directed to the user of the mobile communication device. The prompt can be an audio or textual indication. Next, a decision 708 determines whether an audio message has been recorded. When the decision 708 determines that the audio message has not been recorded, then the reply message process 700 awaits the audio message. Once the decision 708 determines that the audio message has been recorded, then the audio message is converted 710 to a text message. In one embodiment, if the audio message recorded is greater than a maximum text message size (e.g., 150 or 160 characters), then the audio message

can be shortened so that the resulting text message does not exceed the maximum text message size. One way to shorten the text message is to use abbreviations. For example, the words "For example" can be changed to "e.g.". Such conversion can be again be performed by matching entries in tables. Another way to shorten is to remove non-essential text. Still another way to shorten is to clip off or truncate the text message at the maximum text message size. In another embodiment, the resulting text message might provide an indication that it was converted from an audio message. Following the block 710, the text message is transmitted 712 over a wireless network.

[0076] Alternatively, when the decision 704 determines that a text message is to be formed, then a text entry screen is displayed 714. Next, a decision 716 determines whether a text message has been entered. When the decision 716 determines that a text message has not yet been entered, then the reply message process 700 awaits entry of the text message. Once the text message has been entered, the text message is transmitted 712 over the wireless network. Following the block 712, the reply message process 700 ends.

[0077] Although the reply message process 700 provides for the user to enter a custom text or audio message, it should be understood that the reply message can alternatively be formed through use of semi-custom or predetermined reply messages from which the user of the mobile communication device can choose. The use of semi-custom or predetermined reply messages can be achieved as noted above in a number of embodiments, and can serve to simplify the conversion process.

[0078] An exemplary scenario of how message presentation and reply message processes could work according to one implementation of the second aspect is as follows:

[0079] 1. From his mobile phone, Bill prepares and sends a text message to Tom's mobile phone.

[0080] 2. Tom is alerted by his mobile phone of an incoming text message, such as by displaying at least a portion of the text message and/or otherwise notifying Tom of the text message.

[0081] 3. Tom's mobile phone can decide whether to present the text message on a display screen of Tom's mobile phone, or to first convert the text message to an audio message and then present the audio message to Tom (e.g., play the audio message). Of course, Tom can interact with Tom's mobile phone to assist in making the determination on how to present the message.

[0082] 4. Thereafter, if desired, Tom can prepare and send a reply message back to Bill. This reply message can be prepared initially as a text message or an audio message. Tom's mobile phone and/or Tom can determine whether the reply message is initially prepared as a text message or as an audio message. If an audio message is initially created, such audio message must be converted to a text message prior to transmission. Eventually, the reply message is sent to Bill as a text message. Tom's mobile phone can assist with the creation of the reply message through use of custom, semi-custom or predetermined reply message from which Tom and/or Tom's mobile phone can choose.

[0083] 5. If Tom is using a head-set with his mobile phone, then an audio message may be more convenient, assuming that Tom wants to provide a particular (i.e., customized) message to Bill. The head-set allows Tom to easily record a brief audio message. Less conveniently, the head-set can be used to present a list of predetermined audio messages and allow Tom's selection therefrom by a button or voice-command.

[0084] 6. If Tom is not using a head-set, then a text message response might be more suitable. This would typically require that Tom's mobile phone have a display and a keypad. Even so, without a head-set, Tom could still record an audio message, though such would likely be less convenient.

[0085] 7. Tom can also not provide a reply message and simply not respond to the incoming text message. Alternatively, Tom can configure his mobile

phone to automatically produce and send a reply message based on user settings or preferences, position, configuration, status, etc.

[0086] In this aspect of the invention, the calling party and the called party often use mobile communication devices, such as mobile phones. However, the parties can alternatively use other electronic devices, such as a PDA, a computer, etc.

[0087] The advantages of the invention exemplified by FIGs. 6-7 are numerous. Different embodiments or implementations may yield different advantages. One advantage is that communications for users of electronic devices can be flexibly provided. Another advantage is that communication mode changes can be performed at an electronic device to better suit the needs or condition of the electronic device or user preferences. Still another advantage is that conversion of an audio message to a text message facilitates use a low cost network (such as the SMS network). Another advantage is reduced network bandwidth load. Yet still another advantage is that the sender can get back a message in the same format as they sent the original message, though the recipient may use the message in a different format or mode (e.g., recipient hears the text message as an audio message).

[0088] Moreover, it should be noted that with regards to any of the embodiments in which a voice call or a text message is incoming to an electronic device, not only can the user of the mobile device take an action (e.g., button press or voice-command) to decline the call/message but also the electronic device itself can automatically decline the call/message such that the user is not disturbed. For example, an electronic device can be configured through user settings (e.g., preferences) to decline calls/messages matching certain criteria. Also, an auto reply message can be configured to be automatically sent in response to the call/message. For a known, undesired marketing caller/message sender, the electronic device can automatically send a reply message demanding the sender not to call or send messages anymore, and to remove your information from their database.

[0089] Text messages received or sent can optionally embed indications of speech characteristics to be used, should the text message be converted to an audio format. The speech characteristics can pertain to voice, tone, pace, accent, and/or mood. The speech characteristics for the resulting speech can be set in preference or configuration information, set on a per message basis by users, or set by evaluation of monitored data pertaining to the user.

[0090] Additionally, the messages being transmitted can be encrypted for security purposes.

[0091] In one embodiment, an electronic device performing communications using audio and/or text messages according to the invention can further integrate (or have tethered thereto) one or more electrical components for enhancing the hearing of the user of the electronic device. The electronic device will normally include a microphone and a speaker. In any case, additional details on hearing enhancement are further described, for example, in U.S. Provisional Patent Application No. 60/620,238, filed October 18, 2004, and entitled "EYEGLASSES WITH HEARING ENHANCED AND OTHER AUDIO SIGNAL-GENERATING CAPABILITIES," which is hereby incorporated herein by reference;

[0092] The invention described herein can be considered an automated secretary for a user of an electronic device. The automated secretary can completely or partially respond to an incoming call/message so as to reduce disturbances to the user. The user can personalize the automated secretary through user settings (e.g., preferences), or the automated secretary can learn over time how to handle different incoming calls/messages. Besides handling or assisting the user with incoming calls/messages, the automated secretary can also assist with other activities, such as making calendar entries (e.g., meetings) in a calendar or responding to incoming callers/messages with relevant information pertaining to the user's schedule as maintained by the calendar (though the user could restrict such access to certain information and/or inquiring parties). For example, if an incoming text message asks "available for lunch today?", the automated secretary can check

the user's availability for lunch by way of the user's calendar, then if the user is not available the automated secretary can quickly informing the inquiring party of same or propose another date. On the other hand, if the lunch time period is available in the user's calendar, then the automated secretary can either directly respond to the inquiring party of acceptance or propose a response to the user for review, modification and/or transmission.

[0093] Furthermore, the embodiments implementations and features described in: (i) U.S. Provisional Patent Application 60/509,631, filed October 9, 2003, and entitled "TETHERED ELECTRICAL COMPONENTS FOR EYEGLASSES," which is hereby incorporated herein by reference; and (ii) U.S. Provisional Patent Application 60/462,591, filed April 15, 2003, and entitled "EYEGLASSES FOR WIRELESS COMMUNICATION," which is hereby incorporated herein by reference; (iii) U.S. Patent Application No. 10/964,011, filed October 12, 2004, and entitled "TETHERED ELECTRICAL COMPONENTS FOR EYEGLASSES," which is hereby incorporated herein by reference; and (iv) U.S. Patent Application 10/822,218, filed April 12, 2004, and entitled "EYEGLASSES FOR WIRELESS COMMUNICATIONS," which is hereby incorporated herein by reference, can be used with the various embodiments, implementations, features and aspects of the invention noted above. For example some or all of the processing noted above with respect to FIGs. 1-7 can be performed in electrical components integral or tethered to eyeglasses. However, the electrical components integral or tethered to eyeglasses can also interact and/or share processing tasks with an electrical device (e.g., mobile telephone, PDA, etc.) located proximate thereto.

[0094] It should be obvious to those skilled in the art that a number of embodiments performing communications using voice as well as audio and/or text messages can be implemented using voice over Internet Protocol technologies, with signals delivered over the Web. For example, a calling party's communication or mobile device can include an adapter to convert voice signals to data packets before sending them over the Internet. A service provider can convert the packets back

into voice signals before sending the voice signals to the called party's communication device. Similarly, embodiments can be implemented using voice over wireless protocols, such as Wi-Fi or Wi-Max networks. Using such technologies, computing devices can become communication devices.

[0095] The various embodiments, implementations, features and aspects of the invention noted above can be combined in various ways or used separately. Those skilled in the art will understand from the description that the invention can be equally applied to or used in other different settings with respect to various combinations, embodiments, implementations or features provided in the description herein.

[0096] The invention can be implemented in software, hardware or a combination of hardware and software. A number of embodiments of the invention can also be embodied as computer readable code on a computer readable medium. The computer readable medium is any data storage device that can store data which can thereafter be read by a computer system. Examples of the computer readable medium include read-only memory, random-access memory, CD-ROMs, magnetic tape, and optical data storage devices. The computer readable medium can also be distributed over network-coupled computer systems so that the computer readable code is stored and executed in a distributed fashion.

[0097] Numerous specific details are set forth in order to provide a thorough understanding of the present invention. However, it will become obvious to those skilled in the art that the invention may be practiced without these specific details. The description and representation herein are the common meanings used by those experienced or skilled in the art to most effectively convey the substance of their work to others skilled in the art. In other instances, well-known methods, procedures, components, and circuitry have not been described in detail to avoid unnecessarily obscuring aspects of the present invention.

[0098] In the foregoing description, reference to "one embodiment" or "an embodiment" means that a particular feature, structure, or characteristic described in connection with the embodiment can be included in at least one embodiment of the

invention. The appearances of the phrase “in one embodiment” in various places in the specification are not necessarily all referring to the same embodiment, nor are separate or alternative embodiments mutually exclusive of other embodiments. Further, the order of blocks in process flowcharts or diagrams representing one or more embodiments of the invention do not inherently indicate any particular order nor imply any limitations in the invention.

[0099] The many features and advantages of the present invention are apparent from the written description. Since numerous modifications and changes will readily occur to those skilled in the art, it is not desired to limit the invention to the exact construction and operation as illustrated and described. Hence, all suitable modifications and equivalents may be resorted to as falling within the scope of the invention.

What is claimed is:

CLAIMS

1. A wireless communication system, comprising:
 - a wireless headset; and
 - a wireless communication device that supports wireless communication, including messaging, for a first user, said wireless communication device capable of wirelessly communicating with the wireless headset,wherein said wireless communication device is configured to perform the method of:
 - receiving an incoming text message from a second user;
 - converting the incoming text message to an incoming audio message;
 - presenting the incoming audio message for the first user via the wireless headset;
 - recording a reply audio message by the first user via the wireless headset;
 - converting the reply audio message into a reply text message; and
 - transmitting the reply text message to the second user.

2. A wireless headset that supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and
 - wherein said wireless headset is configured to at least:
 - wirelessly receive an incoming audio message from the mobile electronic device, the incoming audio message being produced by converting an

incoming text message from another wireless electronic device, the incoming text message being received at the mobile electronic device via a wireless network;

output the incoming audio message for the first user;

receive a reply audio message from the first user in response to the incoming audio message; and

wirelessly transmit the reply audio message to the mobile electronic device.

3. A wireless headset according to claim 2, wherein the reply audio message thereafter being converted to a reply text message and transmitted to the another wireless electronic device via the wireless network.

4. A wireless headset that supports messaging for a first user, said wireless headset operatively connects to a mobile electronic device having wireless communication capability, and

wherein said wireless headset is configured to at least:

play an incoming audio message for the first user via the wireless head-set, the incoming audio message being produced by converting an incoming text message from a second user, the incoming text message being received at the mobile electronic device via a wireless network; and

receive a reply audio message from the first user via the wireless head-set in response to the incoming audio message, the reply audio message thereafter being converted to a reply text message and transmitted to the second user via the wireless network.

ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

ABSTRACT OF THE DISCLOSURE

Improved approaches for users of electronic devices to communicate with one another are disclosed. The electronic devices have audio and/or textual output capabilities. The improved approaches can enable users to communicate in different ways depending on device configuration, user preferences, prior history, etc. In one embodiment, the communication between users is achieved by short audio or textual messages.

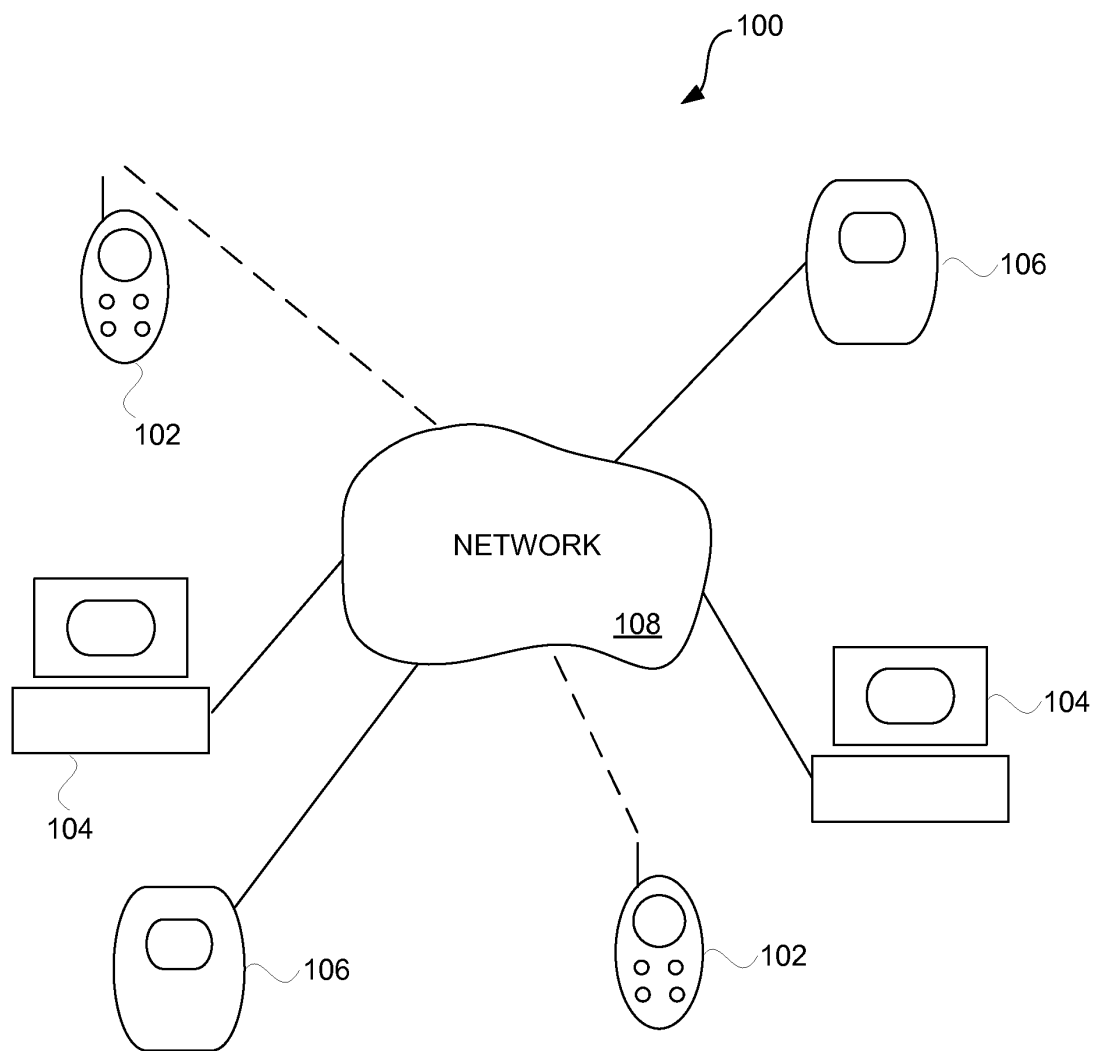


FIG. 1

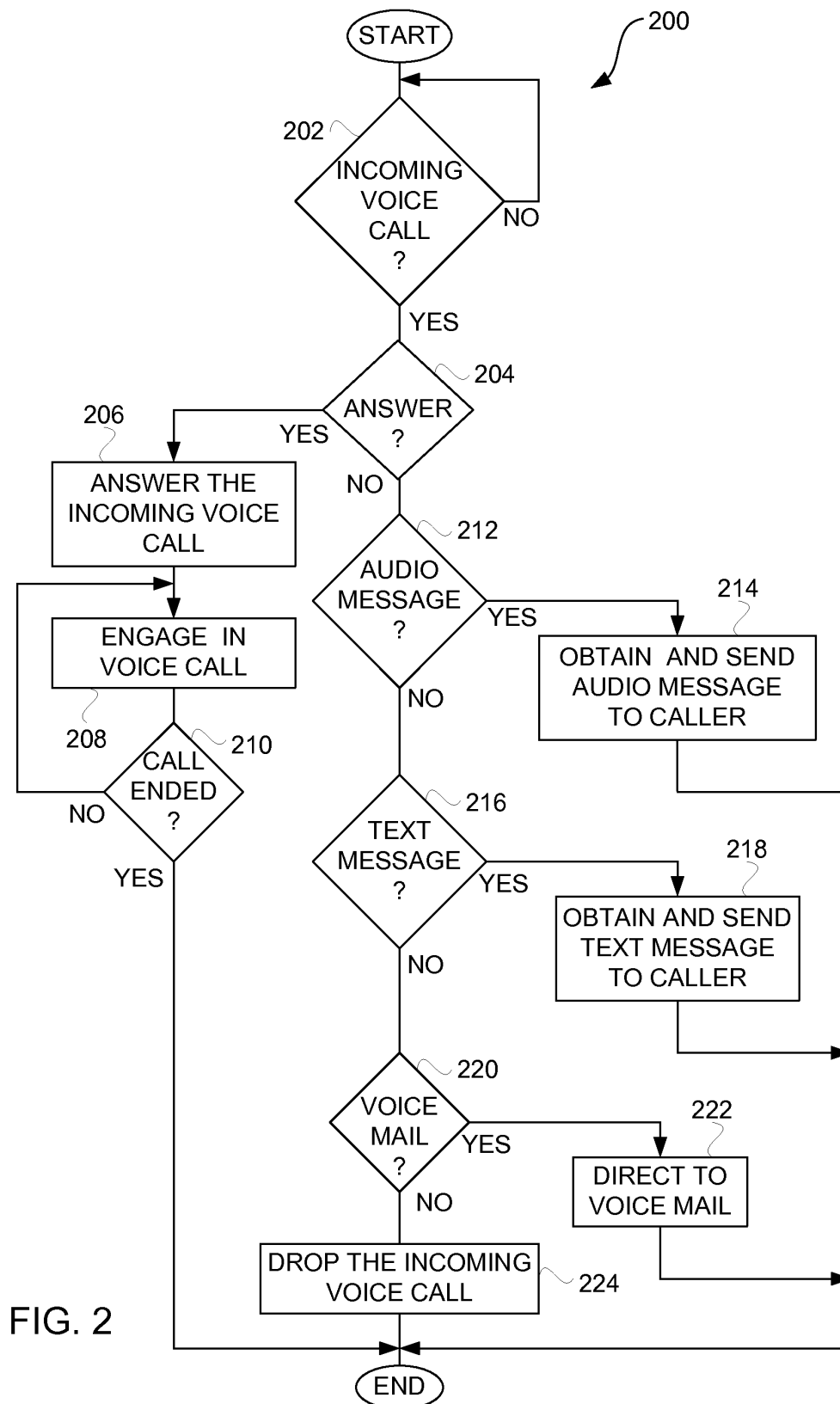


FIG. 2

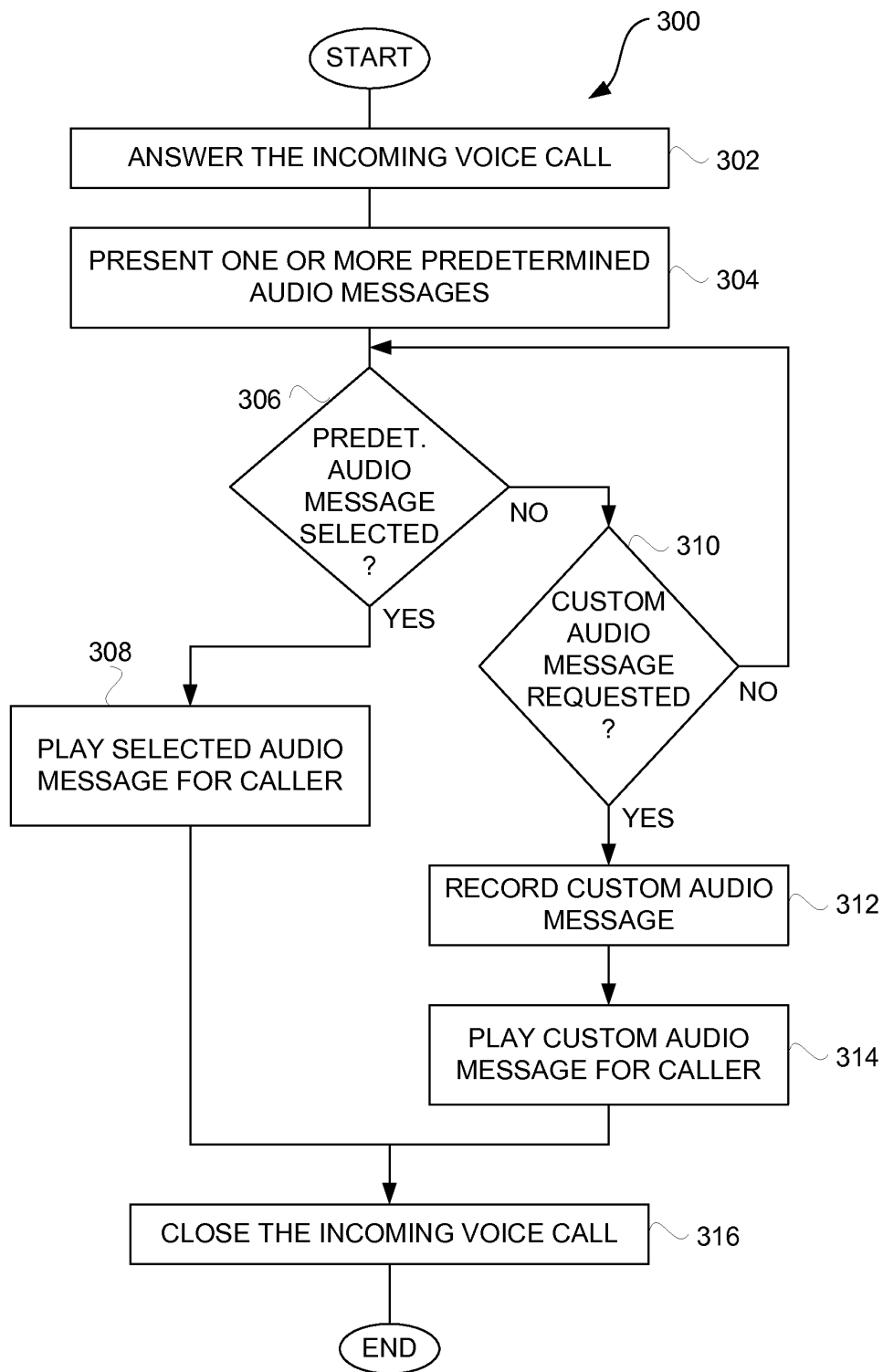


FIG. 3

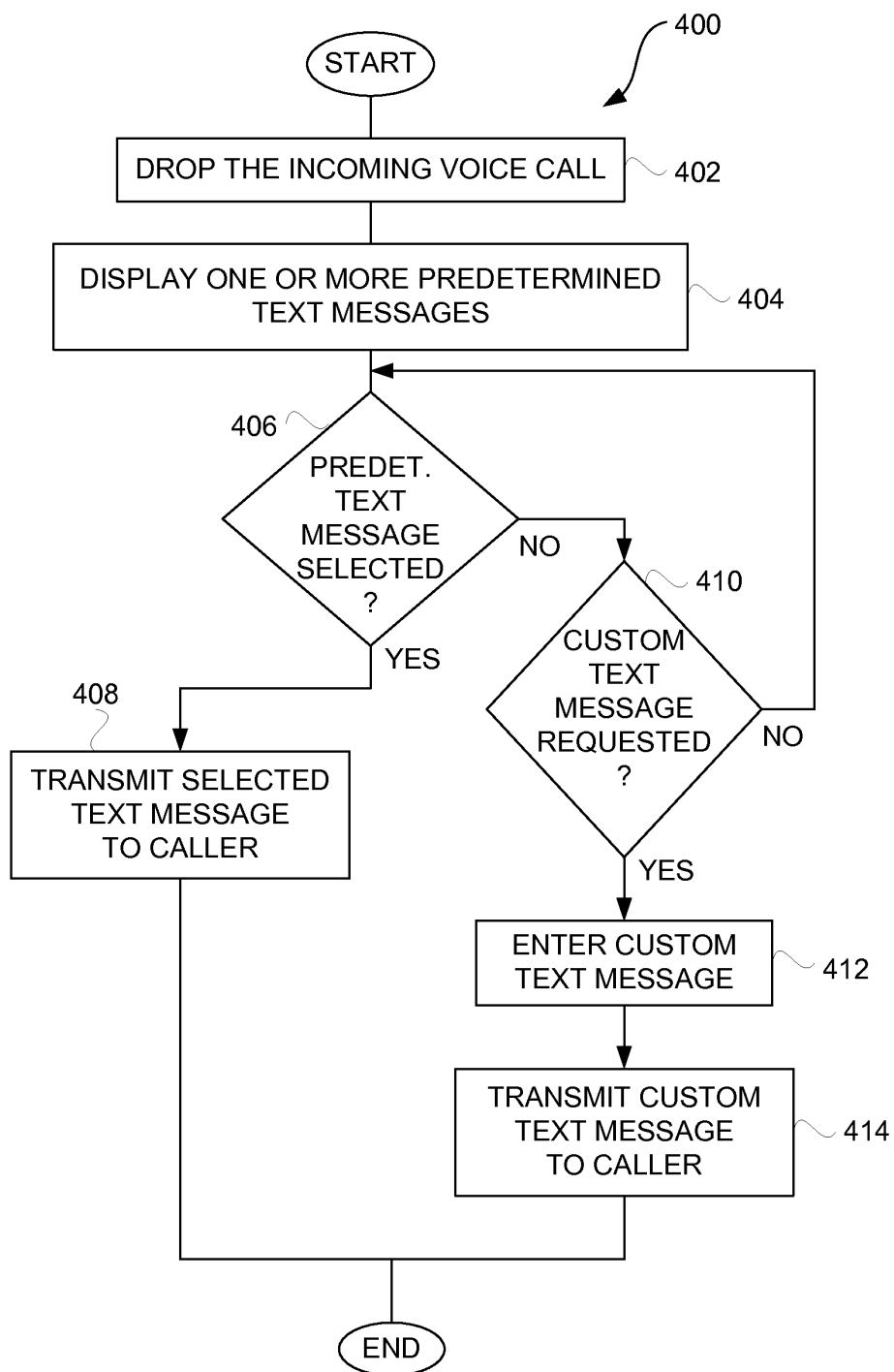


FIG. 4

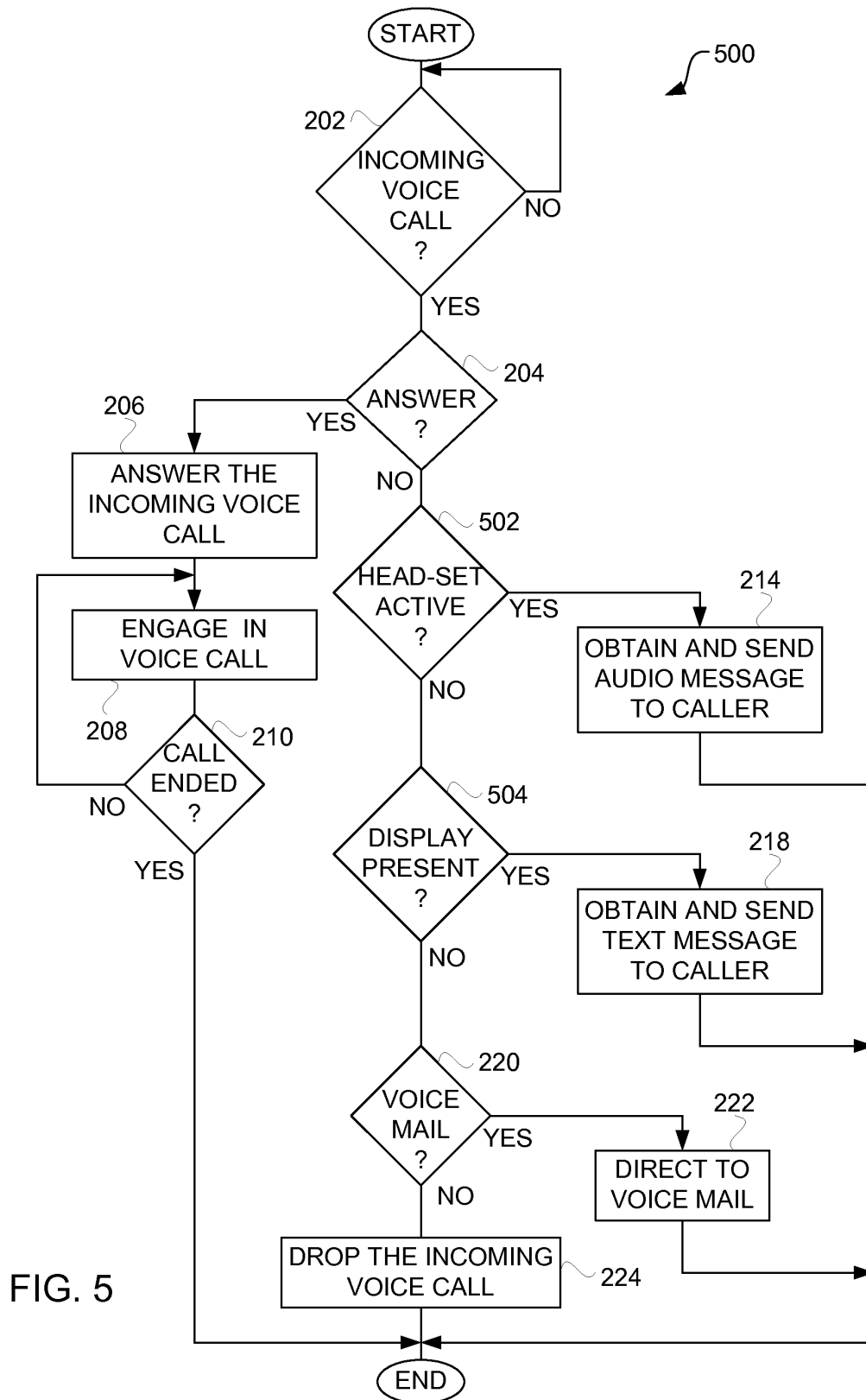


FIG. 5

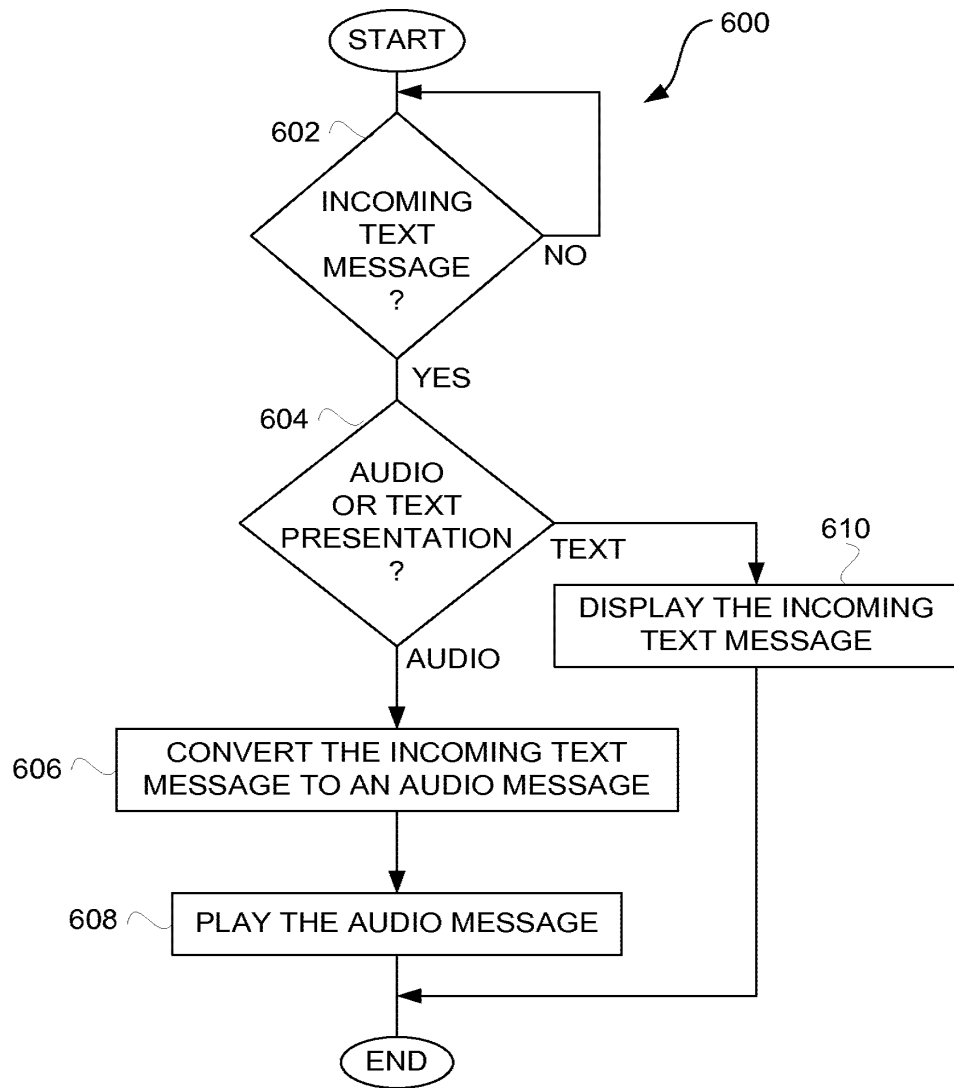


FIG. 6

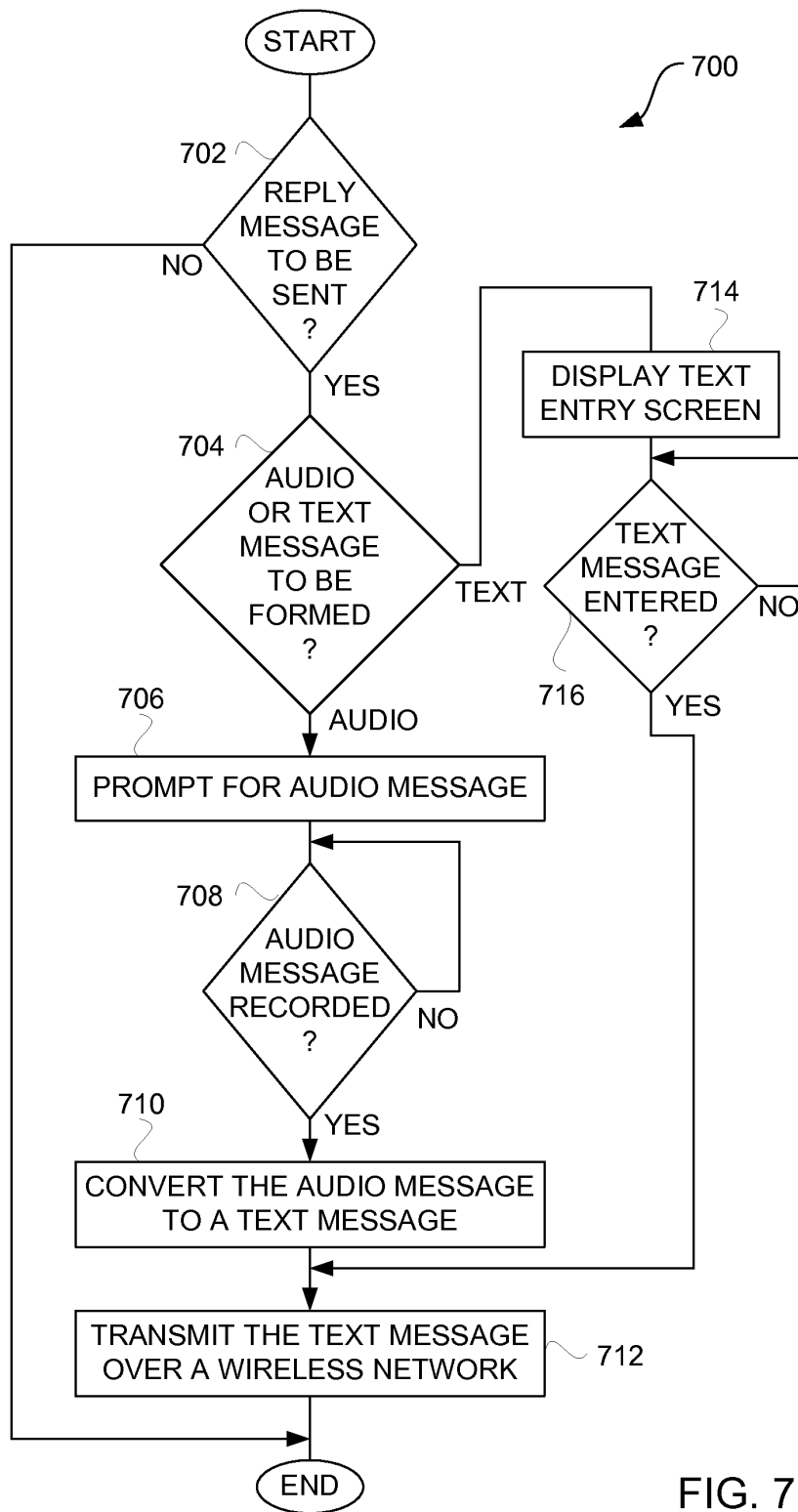


FIG. 7

DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. **IPVMAP03**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: "ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES", the specification of which,

(check one)

1. ☒ is attached hereto.
2. ☐ was filed on _____ as
U.S. Application No. _____
and was amended on _____.
3. ☐ was filed on _____ as
International PCT Application Serial No. _____
and was amended on _____.

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

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

None

(Application No.)

(Country)

(Filing Date)

Priority Benefits Claimed?

Yes ___ No ___

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Provisional U.S. Applications

60/527,565

(Application No.)

December 8, 2003

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s)

None

(Application No.)

(Filing Date)

(Status - patented, pending, abandoned)

Atty.Dkt.No.: IPVMAP03

Page 1 of 2

Application No.: To be assigned

Send Correspondence To:

Customer Number: 34071

Direct Telephone Calls To:

C. Douglass Thomas at telephone number (650) 903-9200

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 issuing thereon.

Typewritten Full Name
of First Inventor:

C. Douglass Thomas

Citizenship:

USA

Inventor's signature:

C. Douglass Thomas

Date of Signature:

12/7/2004

Residence: (City)

Campbell

(State/Country)

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Post Office Address:

1193 Capri Drive, Campbell, CA, 95008

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Peter P. Tong

Citizenship:

USA

Inventor's signature:

Peter P. Tong

Date of Signature:

12/7/2004

Residence: (City)

Mountain View

(State/Country)

CA/US

Post Office Address:

1807 Limetree Lane, Mountain View, CA, 94040

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: THOMAS et al.

Application No./Patent No.: Unassigned

Filed/Issue Date: Herewith

Titled: ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES

IpVenture, Inc., a corporation

(Name of Assignee)

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

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

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

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 016082, Frame 0706, or for which a copy therefore 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.

/C. Douglass Thomas/

Signature

January 5, 2011

Date

C. Douglass Thomas

Printed or Typed Name

Chairman

Title

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

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

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.

Application Data Sheet

Application Information

Application Type:: Regular
Subject Matter:: Utility
Title:: ADAPTABLE COMMUNICATION
TECHNIQUES FOR
ELECTRONIC DEVICES
Attorney Docket Number:: IPVMAP03D1C2
Request for Non-Publication?:: Yes
Suggested Drawing Figure:: 1
Total Drawing Sheets:: 7
Small Entity:: Yes

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
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Middle Name:: Douglass
Family Name:: Thomas
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State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 1193 Capri Drive
Country of mailing address:: US
Postal or Zip Code of
mailing address:: 94008

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
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Middle Name:: P.
Family Name:: Tong
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State or Province of Residence:: CA
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E-Mail address:: doug@ipventure.com

Representative Information

Representative Customer Number:: 34071

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application is a	Continuation of	12/074,961	Mar. 7, 2008
which is a	Continuation of	11/497,651	Aug. 2, 2006
which is a	Divisional of	11/006,343	Dec. 7, 2004
which claims priority to:		60/527,565	Dec. 8, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: To be assigned

Examiner: To be assigned

Filed: Herewith

Group: To be assigned

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

**NONPUBLICATION REQUEST AND CERTIFICATION
(35 U.S.C. 122(b)(2)(B)(i))**

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

Sir:

I hereby 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 agreement, that requires publication at eighteen (18) months after filing. I hereby request that the attached application **NOT** be published under 35 U.S.C. 122(b).

Date: January 7, 2011

/C. Douglass Thomas/
C. Douglass Thomas
Registration No. 32,947

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: To be assigned

Examiner: To be assigned

Filed: Herewith

Group: To be assigned

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTRONIC DEVICES

**INFORMATION DISCLOSURE STATEMENT
37 CFR §§1.56 AND 1.97(b)**

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

Dear Sir:

The references listed in the attached PTO Form 1449 may be material to examination of the above-identified patent application. Applicants submit the list of these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application. The above-identified application is a Continuation of prior application U.S. Patent Application No. 12/074,961. This prior application is being relied upon for an earlier filing date under 35 U.S.C. § 120. Because the listed references were either cited by the PTO, or submitted to the PTO in the prior application, under 37 CFR § 1.98(d) Applicants submit that copies need not be provided.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of

a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114.

Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-3874 (Order No. IPVMAP03D1C2).

Respectfully submitted,

/C. Douglass Thomas/
C. Douglass Thomas
Registration No. 32,947

5150 El Camino Real,
Building A, Ste. 22
Los Altos, CA 94022

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 1 of 4

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	1.	5,425,516	Jun.-95	Daines			
	2.	5,548,636	Aug. 96	Bannister et al.			
	3.	5,758,079	May-98	Ludwig et al.			
	4.	5,828,731	Oct. 98	Szlam et al.			
	5.	5,930,700	Jul.-99	Pepper et al.			
	6.	5,970,388	Oct. 99	Will			
	7.	6,119,022	Sep. 00	Osborn et al.			
	8.	6,327,628 B1	Dec.-01	Anuff et al.			
	9.	6,463,462	Oct.-02	Smith et al.			
	10.	6,577,859 B1	Jun. 03	Zahavi et al			
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	16.	6,978,136 B2	Dec. 05	Jenniges et al.			
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Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 2 of 4

	28.	7,403,972 B1	Jul.-08	Lau et al.			
	29.	2002/0067806 A1	Jun.-02	Rodriguez et al.			
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	33.	2003/0105854 A1	Jun.-03	Thorsteinsson et al.			
	34.	2003/0129968 A1	Jul. 03	Earl			
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	41.	2005/0136955	Jun.-05	Mumick et al.			
	42.	2005/0191994 A1	Sep. 05	May et al.			
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	44.	2005/0273327 A1	Dec. 05	Krishnan			
	45.	2006/0288099 A1	Dec. 06	Jefferson et al.			
	46.	2008/0261636	Oct. -08	Lau et al.			

Foreign Documents

							Translation	
Init.		Document No.	Date	Country	Class	Subclass	Yes	No
		WO 01/45343 A2	Jun-01	PCT				

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	A	"Company Overview", http://www.fastmobile.com/company_overview.html , downloaded 11/5/2003, p. 1.
	B	"Introducing the Tellme Voice Application Network", Tellme, http://www.tellme.com/products/ , downloaded 10/2/2003, page 1.
	C	"Iotum History," Iotum Corp., http://iotum.com/simplyrelevant/2006/04/03/iotum-history/ , downloaded May 15, 2006, pages 1-4.
	D	"messaging", Vodafone Group, 2001, http://www.vodafone.co.nz/business/10.2.3_messaging.jsp , downloaded 10/14/2003, pages 1-2.

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 3 of 4

E	"Microsoft Windows Messenger: Go Beyond Text with Voice & Video Chats", Dell Inc., http://www.dell.com/us/en/dhs/topics/segtopic_002_xp_im.htm , downloaded 10/2/2003, pages 1-2.
F	"Microsoft Windows Messenger: Instantly Communicate with Family and Friends Messenger", Dell Inc., http://www.dell.com/us/en/dhs/topics/segtopic_001_xp_im.htm , downloaded 10/2/2003, pages 1-3.
G	"Our Solution," Iotum Corp., http://www.iotum.com/our_solution.php , downloaded May 15, 2006, pages 1-2 .
H	"Short Message Service/Interactive Voice Response (SMS/IVR), Lucent Technologies, 2003, pages 1-2.
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J	"We bring relevance to communications," Cnet News, Ina Fried, July 21, 2005, pages 1-2.
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L	BlackBerry, "Voice and SMS", http://www.blackberry.com/products/service/voices_sms.shtml?DCPID=hmsvoice downloaded 10/2/2003, page1.
M	Calsyn, Martin and Desseault, Lisa, "Presence Information Protocol Requirements," Internet Draft, February 9, 1998, pages 1-27.
N	Emergin Inc., "Emergin WirelessOffice 5.0", http://www.emergin.com/?source=overture , downloaded 10/2/2003, page 1.
O	fastmobile Inc., "Dialog GSM launches Push 'n' Talk walkie talkie service Push to Talk over Cellular Now in Sri Lanka Dialog GSM Pioneers Latest GSM Advancement", Press Release, December 1, 2004, pages 1-2.
P	fastmobile, "fastmobile's fastchat™ Instant Communications Application is Coming to Thousands of Mobile Phone Retail Stores Nationwide", fastmobile Press Release, September 15, 2003, pages 1-3.
Q	IMBOT, Press Release, "IMBOT offers new Text 2 Voice Service Text 2 Voice service enables wireless customers to send voice messages from 2-Way devices", October 29, 2001, pages 1-2.
R	Internet Traveler, "Welcome to the Inter.Net Communicator Tour!", http://www.inter.net/traveler/tour/communicator_messaging.php , downloaded 10/14/2003, p. 1.
S	J. Rosenberg, H. Schulzrinne, Internet Draft, "SIP For Presence," http://www.alternic.org/drafts/drafts-r-s/draft-rosenberg=sip-pip-00.txt , November 13, 1998, Bell Laboratories, Columbia, pages 1-31.
T	Joseph, Anthony D. et al., "The Case for Services over Cascaded Networks", EECS Department, CS Division, University of California, Berkeley, http://iceberg.cs.berkeley.edu/ , International Conference on Wireless and Mobile Multimedia 1998, pages 1-9.
U	MobileShop, "SMS - also know as text messaging", http://www.mobileshop.org/howitworks.sms.htm , downloaded October 14, 2003, pages 1-

Examiner	Date Considered
----------	-----------------

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form 1449 (Modified) Information Disclosure Statement By Applicant (Use Several Sheets if Necessary)	Atty. Docket No.	IPVMAP03D1C2
	Application No.:	To be assigned
	Applicant	THOMAS et al.
	Filing Date	Herewith
	Group	To be assigned
		Page 4 of 4

		2.
V	Schulzrinne, H. et al., RPID: Rich Presence Extensions to the Presence Information Data Format (PIDF), draft-ietf-simple-rpid-06.txt, June 2, 2005, http://www1.ietf.org/mail-archive/web/simple/current/msg05398.html , downloaded November 15, 2006, pages 1-35.	
W	Schulzrinne, H. et al., RPID: Rich Presence Extensions to the Presence Information Data Format (PIDF), draft-ietf-simple-rpid-10.txt, December 20, 2005, pages 1-41.	
X	Schulzrinne, H. et al., RPID: Rich Presence Extensions to the Presence Information Data Format (PIDF), draft-ietf-simple-rpid-10.txt, December 4, 2005, pages 1-35.	
Y	Sonim Technologies, Inc., "Integrated voice and text messaging over GPRS showcased jointly by Sonim, Symbian and Texas Instruments", Sonim Press Release, December 2, 2002, pages 1-2.	
Z	Symbian Ltd., "Symbian OS Version 7.0: Functional description", Revision 1.5, February 2003, pages 1-24.	
AA	Symbian Ltd., "Symbian OS Version 7.0s: Functional description", Revision 2.1, June 2003, pages 1-29.	
BB	Symbian Ltd., "Technology: Creating Symbian OS phones", http://www.symbian.com/technology/create-symb-OS-phones.html , downloaded 11/5/2003, page 1-8.	
CC	Symbian Ltd., "Technology: Why is a different operating system needed", http://www.symbian.com/technology/why-diff-os.html , downloaded 11/5/2003, pages 1-5.	
DD	Verizon Wireless, "TXT messaging", http://www.vtext.com/customer_site/jsp/messaging_lo.jsp , downloaded 10/2/2003, page 1.	
EE	<u>W3C, "Voice Extensible Markup Language (VoiceXML) Version 2.0, W3C, www.w3.org, February 20, 2003.</u>	
FF	Yahoo!Messenger, "Yahoo!Messenger Talk for Free!", http://messenger.yahoo.com/messenger/help/voicechat.html , downloaded 10/2/2003, pages 1-2.	
GG	Notice of Allowance for U.S. Patent Application No. 11/006,343 dated June 6, 2006.	
HH	Office Action for U.S. Patent Application No. 11/497,651 dated May 14, 2007.	
II	Office Action for U.S. Patent Application No. 11/497,651 dated October 9, 2007.	
JJ	Notice of Allowance for U.S. Patent Application No. 11/497,651 dated Nov. 27, 2007.	
KK	Office Action for U.S. Patent Application No. 12/074,961, dated February 22, 2010.	
LL	Office Action for U.S. Patent Application No. 12/074,961, dated August 27, 2010.	
MM	Notice of Allowance for U.S. Patent Application No. 12/074,961, dated October 15, 2010.	

Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2009

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 545.00

Complete if Known

Application Number Unassigned
Filing Date Herewith
First Named Inventor THOMAS et al.
Examiner Name Unassigned
Art Unit Unassigned
Attorney Docket No. IPVMAP03D1C2

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 50-3874 Deposit Account Name: _____
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	\$545.00
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195
Total Claims	Extra Claims	Fee (\$)
4 - 20 or HP = 0	x \$26.00	= \$0.00
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
3 - 3 or HP = 0	x \$110	= \$0.00
HP = highest number of independent claims paid for, if greater than 3.		
		Multiple Dependent Claims
		Fee (\$)
		Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 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).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

38 - 100 = 0 / 50 = (round up to a whole number) x = 0.00

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

SUBMITTED BY

Signature /C. Douglass Thomas/ Registration No. 32,947 Telephone 650-903-9200, X103
Name (Print/Type) C. Douglass Thomas Date JANUARY 7, 2011

This collection of information is required by 37 CFR 1.136. 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 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

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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.
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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.
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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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: THOMAS et al.

Attorney Docket No.: IPVMAP03D1C2

Application No.: To be assigned

Examiner: To be assigned

Filed: Herewith

Group: To be assigned

Title: ADAPTABLE COMMUNICATION
TECHNIQUES FOR ELECTONIC DEVICES

POWER OF ATTORNEY BY ASSIGNEE AND 37 CFR §3.73 STATEMENT

Commissioner for Patents
Washington, D. C. 20231

Sir:

IpVenture, Inc.. is the assignee of the above-referenced patent application by virtue of an assignment document. The assignment document is/was recorded:

☒ at Reel 016082, Frame(s) 0706

☐ on

☐ submitted concurrently herewith

The assignee represents, pursuant to 37 C.F.R. §3.73(b), that the undersigned is a representative authorized and empowered to sign on behalf of the assignee.

Pursuant to 37 C.F.R. §§1.36 and 3.71, the assignee hereby revokes all powers of attorney previously given and hereby appoints all practitioners who are associated with the **Customer Number 34071** as principal attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

Customer Number 34071

IpVenture, Inc.
5150 El. Camino Real
Suite A-22
Los Altos, CA 94022

Assignee of Interest:

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Date January 7, 2011

/C. Douglass Thomas/

Name: C. Douglass Thomas
Title: Chairman
IpVenture, Inc.

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES		
First Named Inventor/Applicant Name:		C. Douglass Thomas		
Filer:		Peter P. Tong/Angela Nijim		
Attorney Docket Number:		IPVMAP03D1C2		
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	82	82
Utility Search Fee	2111	1	270	270
Utility Examination Fee	2311	1	110	110
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				462

Electronic Acknowledgement Receipt	
EFS ID:	9191945
Application Number:	12987018
International Application Number:	
Confirmation Number:	7597
Title of Invention:	ADAPTABLE COMMUNICATION TECHNIQUES FOR ELECTRONIC DEVICES
First Named Inventor/Applicant Name:	C. Douglass Thomas
Customer Number:	34071
Filer:	Peter P. Tong
Filer Authorized By:	
Attorney Docket Number:	IPVMAP03D1C2
Receipt Date:	07-JAN-2011
Filing Date:	
Time Stamp:	19:54:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$462
RAM confirmation Number	5495
Deposit Account	503874
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (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	IPVMAP03D1C2AppTrans.pdf	236633	no	2
			6a166966f9ed0e6f8f4652ee3193f48ac4f2635b		
Warnings:					
Information:					
2	Specification	IPVMAP03D1C2-app-asfiled.pdf	117315	no	31
			a92c1a5ce0439e8ed070ac4915ce196b2bc9a2c0		
Warnings:					
Information:					
3	Drawings-only black and white line drawings	IPVMAP03D1C2Formals.pdf	121276	no	7
			5827ed8e25354a5ade886d94fa0345b6d36f4b01		
Warnings:					
Information:					
4	Oath or Declaration filed	IPVMAP03D1C2Dec.pdf	120627	no	2
			319d25c0359092ad55f91f1f889ca6b97117e95f		
Warnings:					
Information:					
5	Assignee showing of ownership per 37 CFR 3.73(b).	IPVMAP03D1C2Statement373.pdf	422812	no	2
			d0636acb1cc696dc7e8650438b3400cbd97149ba		
Warnings:					
Information:					
6	Application Data Sheet	IPVMAP03D1C2ADS.pdf	15718	no	2
			a40cd05d5eaa51435db044b3e9dabd5397b717a1		
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
7	Nonpublication request from applicant.	IPVMAP03D1C2RequestNon-pub.pdf	17119	no	1
			3737a697b070c2b50cec8cbcc6111ec98790c4bd		
Warnings:					
Information:					
8	Transmittal Letter	IPVMAP03D1C2IDSTrans.pdf	22060	no	2
			4b97fb761c8f7c9e28c806e8cdde687bab05d68		
Warnings:					
Information:					

9	Information Disclosure Statement (IDS) Filed (SB/08)	IPVMAP03D1C2-1449.pdf	47636 d26123a010f94bb3d8a00c7ba7cb9961f832143	no	4
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
10	Fee Worksheet (PTO-875)	IPVMAP03D1C2FeeTrans.pdf	284095 2c15a590d07533259f7209bb82b1a3b27c500cb4	no	2
Warnings:					
Information:					
11	Power of Attorney	IPVMAP03D1C2PoA.pdf	25248 e537dd5820bb6aec630c62be0d4a0efa64d75eea	no	2
Warnings:					
Information:					
12	Fee Worksheet (PTO-875)	fee-info.pdf	33028 1c30d07310b5fc7cf7b079922692d90f0361de64	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1463567		
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.					