

EXHIBIT A

PATENT

LEADP102USA

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Date: 11/03/05

Eric D. Jorgenson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant(s): Michael McKibben, *et al.*

Examiner: Diane Mizrahi

Serial No: 10/732,744

Art Unit: 2165

Filing Date: December 10, 2003

Title: DYNAMIC ASSOCIATION OF ELECTRONICALLY STORED INFORMATION WITH ITERATIVE WORKFLOW CHANGES

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

REPLY TO OFFICE ACTION DATED JUNE 3, 2005

Dear Sir:

Favorable reconsideration of the above-identified patent application is respectfully requested in view of the amendments and comments below. A Credit Card Payment Form in the amount of \$225 for a small entity extension fee of two months accompanies this Reply.

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AMENDMENTS TO THE SPECIFICATION

- (1) Please change the CROSS-REFERENCE TO RELATED APPLICATIONS statement according to following amendments:

CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims the benefit of ~~priority under 35 U.S.C. § 119(e) from~~ U.S. Provisional Patent application Serial No. 60/432,255 entitled "METHOD FOR DYNAMIC ASSOCIATION OF ELECTRONICALLY STORED INFORMATION WITH ITERATIVE WORKFLOW CHANGES", filed December 11, 2002; and is related to co-pending U.S. Patent Application Serial Ser. No. [[_____]] (~~Atty Dkt. No. LEADP101USA~~) 10/731,906 entitled "CONTEXT INSTANTIATED APPLICATION PROTOCOL" filed on December 10, 2003.

AMENDMENTS TO THE CLAIMS

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

1. (Currently Amended) A computer-implemented system that facilitates the management of data, comprising a unified computer-implemented horizontal data management tool for at least many-to-many user functionality, the tool facilitating data communications, data organization, data processing, and data storage, the data management tool facilitates collaboration among a plurality of users across a plurality of projects, and dynamically assigns at least one communications tool to at least one of the plurality of projects.

2. (Original) The system of claim 1, the data management system structures data according to a user who generated the data.

3. (Currently Amended) The system of claim 1, the data management system structures data according to a ~~[[the]]~~ context in which the data is ~~[[was]]~~ generated.

4. (Currently Amended) The system of claim 1, the data management tool provides links to enterprise leadership priorities.

5. (Currently Amended) The system of claim 1, the data management tool performs communications tasks concurrently ~~substantially simultaneously~~ with reminding a user of associated work priorities.

6. (Currently Amended) The system of claim 1, the data management tool automatically stores contextual information relating to an item of communication and utilizes the ~~[[that]]~~ contextual information in performance of communication tasks.

7. (Currently Amended) The system of claim 1, the data management tool integrates three [[two]] or more different applications into a common application environment, the different applications comprising telephony, unified messaging, decision support, document management, portals, chat, collaboration, search, vote, relationship management, calendar, personal information management, profiling, directory management, executive information systems, dashboards, cockpits, tasking, meeting and, web and video conferencing.

8. (Currently Amended) The system of claim 1, the data management tool provides a structure that defines relationships between and among complex collections of data.

9. (Currently Amended) The system of claim 1, the data management tool automates workflow between and among multiple entities.

10. (Currently Amended) The system of claim 1, the data management tool facilitates data storage using at least one of relational and object storage methodologies.

11. (Canceled)

12. (Currently Amended) The system of claim 1 [[11]], the at least one communications tool includes one or more of e-mail, voicemail, fax, teleconferencing, instant message, chat, contacts, calendar, task, notes, news, ideas, vote, web and video conferencing, and document sharing.

13. (Currently Amended) The system of claim 1, the data management tool includes a plurality of applications, wherein at least one of the plurality of applications includes file storage pointers that are dynamic, and associated initially with a board within which the at least one application is launched.

14. (Currently Amended) The system of claim 13, the file board storage pointers of the board can be acted upon from another board by the least one of the plurality of applications ~~same application~~.

15. (Original) A computer employing the system of claim 1.

16. (Currently Amended) A ~~computer-readable~~ computer-readable medium having stored thereon ~~computer-executable~~ computer-executable instructions for carrying out the system of claim 1.

17. (Currently Amended) The system of claim 1, the data management tool facilitates an encrypted environment wherein at least one of the data communications and the data storage is encrypted.

18. (Currently Amended) A computer-implemented system that facilitates [[the]] management of data, comprising:

a computer-implemented context component that captures context information associated with a user-defined topic of a user in a first context; and

a computer-implemented tracking component that tracks a change of the user from the first context to a second context, and automatically associates at least a portion of the context information with the second context.

19. (Currently Amended) The system of claim 18, the context component is associated with a board that is a collection of data and application functionality related to [[a]] the user-defined topic.

20. (Original) The system of claim 18, the context component is associated with a web that is a collection of interrelated boards, the web maintains the location of data of the respective boards when one or more of the interrelated boards are moved into a different board interrelationship, whether within the web or to another web.

21. (Original) The system of claim 18, the context information includes a relationship between a user and at least one of an application, application data, and user environment.

22. (Original) The system of claim 18, the context component captures context information of the first context and context information related to one or more other contexts.

23. (Original) The system of claim 22, the context information of the one or more other contexts is at least one of stipulated by the user, and suggested automatically by the system based upon various search and association criteria set by the user.

24. (Original) The system of claim 18, wherein data created in the first context can be associated with data created in the second context.

25. (Original) The system of claim 18, the context information is tagged to data when the data is created.

26. (Currently Amended) A computer-implemented method of facilitating data management, comprising computer-executable acts of:

creating data within a user environment of a computing platform using an application, the data in the form of at least files and documents; and

automatically associating with [[to]] a user of the user environment, information related to the data, the application and the user environment [[.]];

tracking movement of the user from the user environment of the computing platform to a second user environment of the computing platform; and

associating at least one of the data and the application with the second user environment such that the user employs ~~can employ~~ the at least one of the application and data from the second environment.

27. (Canceled)

28. (Original) The method of claim 26, further comprising capturing context information of the user.

29. (Original) The method of claim 26, further comprising indexing content of the environment such that a plurality of users can access the content from a plurality of user environments.

30. (Canceled)

31. (Original) The method of claim 26, the least one of the data and the application is associated automatically with the second user environment.

32. (Currently Amended) The method of claim 26, further comprising accessing the user environment and the second user environment using a browser.

33. (Original) The method of claim 26, further comprising communicating with the user environment using a TCP/IP communication protocol.

34. (Original) The method of claim 26, further comprising locating the user environment from a remote location using a URL address.

35. (Original) The method of claim 26, further comprising accessing the user environment via a portable wireless device.

36. (Currently Amended) A computer-implemented method of facilitating data management, comprising computer-executable acts of:

- providing a plurality of user environments;
- ordering two or more of the user environments in a number of different collections of the user environments;
- providing a plurality of applications that ~~[[to]]~~ generate and process data in the user environments, the data of a user environment is associated with the user ~~[[that]]~~ environment; and
- traversing the collections of the user environments with one or more of the applications to locate the data associated therewith.

37. (Original) The method of claim 36, the step of traversing is performed using a webslice that includes traversal information for locating the data associated with a given user environment.

38. (Original) The method of claim 37, the traversal information includes at least a collection ID, a user environment ID, and a routing path to the location of the environment data.

39. (Original) The method of claim 36, the collections, user environments, and associated data carry both hierarchical and non-hierarchical associations simultaneously within the applications.

40. (Currently Amended) A computer-readable medium having computer-executable instructions for performing a method of facilitating data management, the method comprising:

creating data within a user workspace environment of a computing platform using an application;

automatically associating with ~~[[to]]~~ a user of the user workspace environment, information related to the data, the application and the user workspace environment;

tracking movement of the user from the user workspace environment to a second user workspace environment of the computing platform; ~~and~~

associating ~~at least one of~~ the data and the application with the second user workspace environment such that the user employs ~~can employ~~ the application and data from the second user workspace environment; ~~[[.]]~~ and

indexing the data of the user workspace such that a plurality of different users can access the data from a plurality of different user workspaces.

41. (Currently Amended) A computer-implemented system that facilitates ~~[[the]]~~ management of data, comprising:

computer-implemented means for creating data within a user workspace of a server environment using an application;

computer-implemented means for associating with ~~[[to]]~~ a user of the user workspace environment, information related to the data, the application and the user workspace environment;

computer-implemented means for tracking movement of the user from the user workspace environment to a second user workspace environment of the server; and

computer-implemented means for associating ~~at least one of~~ the data and the application with the second user workspace of the server environment such that the user can employ the application and data from the second user workspace environment.

42. (Currently Amended) A graphical user interface that facilitates [[the]] data management of data in a many-to-many methodology, the user interface facilitating at least data communications, data organization, data processing, and data storage, the interface comprising:

an input component that processes for receiving data management information of server-based user contexts, the data management information associated with,

capturing context information associated with a user in a first context of the server-based user contexts;

tracking a change of the user from the first context to a second context of the server-based user contexts; and

automatically associating at least a portion of the context information with the second context;

and

a presentation component that presents for presenting a portion of the data management information to facilitate user interaction therewith.

43. (Original) The interface of claim 42, the data management information includes a context interface for configuring a user context, a web, and a board.

44. (Currently Amended) The interface of claim 42, the data management information includes an interface for accessing an application that facilitates messaging and chat, and at least two or more ~~one~~ of telephony, ~~unified messaging~~, decision support, document management, portals, ~~chat~~, collaboration, search, vote, relationship management, calendar, personal information management, profiling, directory management, executive information systems, dashboards, cockpits, tasking, meeting and, web and video conferencing.

REMARKS

Claims 1-44 are currently pending in the subject application and are presently under consideration. A new listing of the claims is at pages 3-10 of the Reply. Claims 1, 3-10, 12-14, 16-19, 26, 32, 36, 40-42 and 44 have been amended to more clearly recite the invention. Claims 11, 27 and 30 have been canceled without prejudice due to incorporation into the corresponding independent claims.

Figure 1 has been amended by an attached Replacement Sheet to remove a double instance of item label 100 and to notate the following items with subscripts: items 104 (as CONTEXT₁) and item 114 (as CONTEXT_N), as provided in the description. Replacement sheets for Figures 15-20 are provided as attachments herein.

A new Power of Attorney and accompanying Statement under 37 C.F.R. 3.73(b) are attached.

Copies of a previously faxed preliminary amendment are provide in support of the amendments to the Cross-Reference section.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to the drawings

The drawings are objected to due to copy problems related to Figures 15-20. Replacement sheets for Figures 15-20 are attached herein that clearly show all aspects of the user interface. Accordingly, this objection should be withdrawn.

II. Objection to the specification.

The disclosure is objected to because Applicants have not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C., as follows: there is missing information such as application number and filing date for the following, for example, page 1, lines 5-12.

A Preliminary Amendment was filed by facsimile on February 4, 2005, by Applicants' representative that provided the requested corrections. However, it appears that only the first page was received at the Patent and Trademark Office. Attached are copies of the Preliminary Amendment as faxed, and confirmed by the PTO on February

4, 2005, via a fax confirmation page. However, appropriate amendment is also made in this Reply. Thus, Applicants' representative requests that this objection be withdrawn.

III. Rejection of Claims 5 and 37 Under 35 U.S.C. §112, Second Paragraph

Claims 5 and 37 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants' representative respectfully requests that Examiner withdraw this rejection for at least the following reasons. Claim 5 has been amended to more clearly claim the invention by replacing the terms "substantially simultaneously" with "concurrently". It is believed that no new matter has been added.

With respect to the term "webslice" in claim 37, the Examiner's interpretation of a webslice meaning the web, is incorrect. Attention is directed to page 12, beginning at line 25, through page 14, line 31, which provides a detailed description of a webslice and its functionality. As described therein, a webslice is a routing algorithm, a relationship rule that defines a relationship between a web and one or more boards of that web. A "board" is defined on page 11, lines 10-11 as a collection of data and application functionality related to a user-defined topic. A "web" is defined on page 11, lines 16-17, as a collection of interrelated boards. Additionally, the description provides examples of relationships between a webslice, web, and boards.

Accordingly, this rejection should be withdrawn for claims 5 and 37.

IV. Rejection of Claims 1-6, 8-11, 13-15, 17-31, 36-39 and 41 Under 35 U.S.C. §101

Claims 1-6, 8-11, 13-15, 17-31, 36-39 and 41 stand rejected under 35 U.S.C. §101 because the claims are directed to a non-statutory subject matter, specifically, directed towards an abstract idea.

Applicants' representative respectfully requests that Examiner withdraw the rejection for at least the following reasons. Independent claims 1, 18, 26, 36 and 41 have amended to include "computer-implemented" terminology. Accordingly, this rejection

should be withdrawn for independent claims 1, 18, 26, 36 and 41 and the claims that depend therefrom.

V. Rejection of Claims 1-44 Under 35 U.S.C. §102(e)

Claims 1-44 are rejected under 35 U.S.C. §102(e) as being anticipated by Samuel J. McKelvie *et al.* (Pub. No. 2003/0217096 A1) hereinafter referred to as “McKelvie *et al.*”

Applicants’ representative respectfully requests that Examiner withdraw the rejection for at least the following reasons.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

McKelvie *et al.* teaches a network-based messaging system that comprises multiple agents to communicate messages between multiple users in real time using, for example, an XML document synchronization model. Each agent has properties defined in XML and can subscribe to properties of other agents. Each agent can notify other agents which subscribe to it of changes to its properties. The agents communicate using an XML or alternative extensible data interchange protocol. The agents include device agents to represent each of multiple user devices, which may include computers on a wireline network and mobile devices on a wireless network. The agents also include persona agents to represent each user. The persona agents collect information about the properties of other agents and publish the information to other, subscribing agents. Each persona agent comprises properties to maintain state information for each device used by the corresponding user. Most of the agents reside in a centralized agent system.

In contrast, the subject invention is much more than a messaging architecture as disclosed in McKelvie *et al.* The instant invention comprises a data management tool that is a unified, horizontal system for communications, organization, information processing, and data storage. The tool is a common workflow layer that is automated

with a scalable, relational database. The tool includes a relational database engine that facilitates many-to-many relationships among data elements, in addition to, one-to-many and many-to-many relationships. The novel architecture operates where the highest contextual assumption is that there exists an entity that consists of one or more users, and first assumes that files are associated with the user. Thus, data generated by applications is associated with an individual, group of individuals, and topical content, and not simply with a folder, as in traditional systems. When a user logs in to the system that employs the tool, the user enters into a personal workspace environment. This workspace is called a board, and is associated with a user context. From within this board, the tool makes accessible to the user a suite of applications for creating and manipulating data. Any user operating within any board has access to the suite of applications associated with that board, and can obtain access to any data in any form (e.g., documents and files) created by the applications and to which he or she has permission. Moreover, thereafter, the user can then move to shared workspaces (or boards), or other workspaces and access the same data or different data.

As amended, claim 1 recites, in part, "...a unified computer-implemented horizontal data management tool for at least many-to-many user functionality, the tool facilitating data communications, data organization, data processing, and data storage, the tool facilitates *collaboration among a plurality of users across a plurality of projects, the tool dynamically assigns at least one communications tool to at least one of the plurality of projects.*" McKelvie *et al.* does not teach the recited limitations.

Moreover, McKelvie *et al.* fails to teach limitations recited in claims that depend from claim 1. For example, in amended claim 7, the tool "...*integrates three or more different applications into a common application environment.*" Additionally, the "...*different applications comprising* telephony, unified messaging, decision support, document management, portals, chat, collaboration, search, vote, relationship management, calendar, personal information management, profiling, directory management, executive information systems, dashboards, cockpits, tasking, meeting and, web and video conferencing." McKelvie *et al.* does not teach or suggest the integration of three or more applications into a common application environment.

In dependent claim 13, McKelvie *et al.* does not teach or suggest “the tool includes a ***plurality of applications***, wherein at least one of the plurality of applications ***includes file storage pointers that are dynamic, and associated initially with a board within which the at least one application is launched.***” McKelvie *et al.* neither teaches ***dynamic file storage pointers*** nor the concept of a ***board***.

The Examiner references Figure 3 as purporting to meet the limitations recited in claim 14. Claim 14 also recites the concept of “...***storage pointers that can be acted upon from another board by the same application.***” Applicants’ representative respectfully requests that the Examiner point out with specificity how Figure 3 anticipates the claimed limitations.

Accordingly, it is respectfully requested by Applicants’ representative that claim 1 and dependent claims 2-10, and 12-17 be allowed.

As amended, independent claim 18 recites a computer-implemented context component that ***captures context information associated with a user-defined topic of a user in a first context, and*** a computer-implemented ***tracking component that tracks a change of the user from the first context to a second context, and automatically associates at least a portion of the context information with the second context.*** McKelvie *et al.* does not teach or suggest such recited limitations.

Moreover, McKelvie *et al.* does not teach or suggest the concepts of a board, a web, and/or collections of boards and webs as recited in the claims and described in the description. Accordingly, it is requested that claim 18 and the claims 19-25 that depend therefrom be allowed.

Amended independent claim 26 recites, in part “...creating data within a ***user environment of a computing platform*** using an application, ***the data in the form of at least files and documents...***” and “***tracking movement of the user from the user environment of the computing platform to a second user environment of the computing platform.***” McKelvie *et al.* does not teach or suggest tracking movement of the user between environments of the same computing platform. Moreover, as recited in additional limitations, McKelvie *et al.* does not teach or suggest “associating at least one of the data and the application with the second user environment such that ***the user employs the at least one of the application and data from the second environment.***”

Accordingly, Applicant's representative requests that this claim and claims 28, 29 and 31-35 that depend therefrom be allowed.

With respect to independent claim 36, the subject claim recites in part an act of ***"ordering two or more of the user environments in a number of different collections of the user environments..."*** McKelvie *et al.* does not teach or suggest an act of ordering. Additionally, McKelvie *et al.* does not teach the concept of "collections" as described in the subject description. The Examiner references paragraph [0040] in support of this rejection. However, nothing in this paragraph teaches anything related to at least an act of ordering as recited in the claim 36. Additionally, in claim 38 recites a "collection ID". McKelvie *et al.* does not teach or suggest use of a collection ID. Accordingly, claim 36 and claims 37-39 that depend therefrom should be allowed.

Amended independent claim 40 recites in part, ***"creating data within a user workspace of a computing platform..."*** and ***"...tracking movement of the user from the user workspace to a second user workspace of the computing platform."*** McKelvie *et al.* does not teach or suggest such limitations. Additionally, further recited limitations include ***"associating the data and the application with the second user workspace such that the user employs the application and data from the second user workspace environment..."*** and ***"indexing the data of the user workspace such that a plurality of different users can access the data from a plurality of different user workspaces."*** McKelvie *et al.* neither teaches nor suggests such limitations. Thus, it is respectfully requested that the rejection for this claim be withdrawn.

Amended independent claim 41 recites, in part, ***"...creating data within a user workspace of a server using an application"***, ***"...tracking movement of the user from the user workspace to a second user workspace of the server"***, and ***"...associating the data and the application with the second user workspace of the server such that the user can employ the application and data from the second user workspace."*** McKelvie *et al.* neither teaches nor suggests such limitations. Accordingly, this claim should be allowed.

Independent claim 42, as amended, recites in part ***"a graphical user interface... comprising...an input component that processes data management information of server-based user contexts..."*** McKelvie *et al.* does not teach or suggest server-based user context. Additionally, McKelvie *et al.* does not teach ***"tracking a change of the user***

from the first context to a second context of the server-based user contexts.” Moreover, as recited in dependent claim 43, McKelvie *et al.* does not teach or suggest the use of webs and boards. Finally, McKelvie *et al.* does not teach the limitations of amended claim 44, which include chat and messaging, and *two or more* additional application functions. Accordingly, claims 42-44 should be allowed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,


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