

# **EXHIBIT B**



PATENT APPLICATION SERIAL NO. ~~00~~/560604

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

100 50 13 47 19 01 11 47 20 2000  
70511 10 11 11 11 11 11 11 11 11

PTO-1556  
(5/87)

BAR CODE LABEL		U.S. PATENT APPLICATION			
					
SERIAL NUMBER	FILING DATE	CLASS	GROUP ART UNIT		
08/560,604	10/20/95	340	2211		
APPLICANT	JOAN DELUCA, BOCA RATON, FL; DOUGLAS KRAUL, PARKLAND, FL; CHARLES E. BATEY JR., LAKE WORTH, FL.  **CONTINUING DATA***** VERIFIED  _____  **FOREIGN/PCT APPLICATIONS***** VERIFIED  _____  FOREIGN FILING LICENSE GRANTED 02/06/96				
STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDENT CLAIMS	FILING FEE RECEIVED	ATTORNEY DOCKET NO.
FL	8	19	3	\$750.00	PTO1367U
ADDRESS	MOTOROLA INC INTELLECTUAL PROPERTY DEPT MS 96 1500 GATEWAY BOULEVARD BOYNTON BEACH FL 33426-8292				
TITLE	METHOD AND APPARATUS FOR PRESENTING GRAPHIC MESSAGES IN A DATA COMMUNICATION RECEIVER				
This is to certify that annexed hereto is a true copy from the records of the United States Patent and Trademark Office of the application which is identified above.  By authority of the COMMISSIONER OF PATENTS AND TRADEMARKS					
Date	Certifying Officer				

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket PT01367U

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 I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR PRESENTING GRAPHIC MESSAGES IN A DATA COMMUNICATION RECEIVER, the specification of which is attached hereto unless the following box is checked:

[ ] was filed on \_\_\_\_\_ as Application 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, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) Priority Claimed
\_\_\_\_\_(Number) \_\_\_\_\_(County) \_\_\_\_\_(Day/Month/Year Filed) [ ] Yes [ ] No
\_\_\_\_\_(Number) \_\_\_\_\_(County) \_\_\_\_\_(Day/Month/Year Filed) [ ] Yes [ ] No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_(Application Number) \_\_\_\_\_(Filing Date)
\_\_\_\_\_(Application Number) \_\_\_\_\_(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States 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.

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)


I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

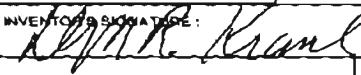
12 Daniel K. Nichols, Reg. No. 29,420; John H. Moore, Reg. No. 27,149; Keith A. Chanroo, Reg. No. 36,480; Pablo Meles, Reg. No. 33,739; D. Andrew Floam, Reg. No. 34,597; Philip P. Macnak, Reg. No. 33,308; Gregg E. Rasor, Reg. No. 34,413; Kelly A. Gardner, Reg. No. 35,147; Michael Zazzara, Reg. No. 35,743; R. Louis Breeden, Reg. No. 37,286; James A. Lamb, Reg. No. 38,529; Daniel R. Collopy, Reg. No. 33,667.


Address all telephone calls to Ms Kelly A. Gardner at telephone no. (407) 739-2860.

Address all correspondence to Motorola, Inc., Intellectual Property Department - MS 96, 1500 Gateway Boulevard, Boynton Beach, Florida 33426-8292.

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.

FULL NAME OF FIRST INVENTOR <u>JOAN DELUCA</u> 1-00	INVENTOR'S SIGNATURE: 	DATE: <u>11/10/95</u>
RESIDENCE: <u>550 S.W. 6th Avenue, Boca Raton, FL 33486</u>	CITIZENSHIP: <u>United States</u>	
POST OFFICE ADDRESS: <u>Same as above</u> FL		

FULL NAME OF SECOND INVENTOR <u>DOUGLAS KRAUL</u> 2-00	INVENTOR'S SIGNATURE: 	DATE: <u>11-10-95</u>
RESIDENCE: <u>7911 Salem Lane, Parkland, FL 33067</u>	CITIZENSHIP: <u>United States</u>	
POST OFFICE ADDRESS: <u>Same as above</u> FL		

FULL NAME OF THIRD INVENTOR <u>CHARLES EDWARD BATEY, JR.</u> 3-00	INVENTOR'S SIGNATURE: 	DATE: <u>11-10-95</u>
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DeLuca, J. et al.

Docket No.: PT01367U

Serial No.: 08/560,604

Group Art Unit: 2211

Filed: November 20, 1995

Examiner: E. Merz

Title: METHOD AND APPARATUS FOR PRESENTING GRAPHIC MESSAGES IN A DATA COMMUNICATION RECEIVER

#5  
Carmotte  
TV3-21-97  
Tich 3/22/97

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON, D.C. 20231, ON: March 3, 1997

Date of Deposit

RECEIVED  
1-27-97  
GROUP 2200

Kelly A. Gardner

Name of Applicant, Assignee or Registered Representative

Kelly Gardner

SIGNATURE

03/03/97

DATE

AMENDMENT PURSUANT TO 37 CFR §1.115

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This Amendment is in response to an Office Action dated December 26, 1996, for which the shortened statutory period for response was set to expire three months from that date. The following amendments and remarks are respectfully submitted in connection with the above-identified patent application. Reconsideration of the application is respectfully requested at this time.

IN THE SPECIFICATION

Please amend the specification as follows:

At page 2, on the line following the description of FIG. 17 in the Brief Description of the Drawings, please insert --FIGs. 18-23 are illustrations further depicting the presentation of graphic messages on a display of the data communication receiver of FIG. 1 in accordance with the present invention.--

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IN THE CLAIMS

Please cancel Claims ~~4~~, ~~5~~, and ~~12-14~~ without prejudice.

Please amend the following claims by adding the underlined material and deleting the bracketed material:

- 22
1. (Amended) A method for displaying messages in a data communication receiver, the method comprising the steps of:  
receiving [a] an alphanumeric message;  
referencing a database to determine whether at least one word included in the alphanumeric message matches at least one key word included in the database [locate image data associated with at least one code included in the message], wherein the [image data] at least one key word is associated with image data that is representative of at least one image; [and]  
presenting, when the alphanumeric message includes at least one word that matches at least one key word located in the database, the at least one image as a graphic message that is accompanied by the alphanumeric message on a display; and  
presenting, when the alphanumeric message does not include at least one word that matches at least one key word located in the database, the alphanumeric message without an accompanying graphic message on the display.
2. (Amended) The method of claim 1, further comprising the step of:  
receiving, prior to the presenting step, a display command indicating that the alphanumeric message is to be presented.
3. (Amended) The method of claim 1, [further comprising, prior to the referencing step,] wherein the referencing step includes the step of:  
[determining, prior to the referencing step, that the at least one code is included in the message by reference to a code format] comparing each alphanumeric word in the alphanumeric message with key words stored in the database.



3 ~~6. (Amended) The method of claim 1, further comprising, prior to the referencing step, the steps of:  
receiving a programming message that includes a [code] key word and image data; and  
storing the [code] key word and the image data in the database.~~

a4 ~~9. (Amended) A data communication receiver for presenting information, the data communication receiver comprising:  
a receiver for receiving [a] an alphanumeric message including at least one [code] word;  
a database for storing [codes] key words and image data associated with the [codes] key words;  
a presentation element coupled to the receiver and the database for determining whether at least one word included in the alphanumeric message matches at least one key word included in the database [locating the at least one code in the database to retrieve image data associated with the at least one code], wherein the image data associated with the at least one [code] key word is representative of at least one image; and  
a display coupled to the presentation element for presenting, when the at least one word matches at least one key word, the at least one image as a graphic message accompanied by the alphanumeric message, and for presenting, when the at least one word does not match at least one key word, the alphanumeric message without an accompanying graphic message.~~

a5 ~~11. (Amended) The data communication receiver of claim 10, further comprising:  
controls coupled to the processor for providing user-initiated commands thereto, wherein presentation of the alphanumeric message and any accompanying graphic message occurs in response to reception of a display command.~~

15. (Amended) The data communication receiver of claim 10, further comprising:

26 a message memory coupled to the processor for storing the alphanumeric message received by the data communication receiver; and  
an alert mechanism coupled to the processor for generating an alert in response to reception of the alphanumeric message.

27 17. (Amended) The data communication receiver of claim 16, wherein the programming means comprises:

the receiver for receiving a programming message including a [code] key word and image data;  
a memory for storing a programming word; and  
storing means for storing the [code] key word and the image data in the database in response to determining that the programming message includes the programming word.

18. (Amended) The data communication receiver of claim 16, wherein the programming means comprises:

controls for receiving a programming message comprising a [code] key word and image data; and  
storing means for storing the [code] key word and the image data in the database.

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13. (Amended) A data communication receiver for presenting information, the data communication receiver comprising:  
a receiver for receiving a message;  
a decoder coupled to the receiver for decoding the message to recover [at least one code] one or more alphanumeric words therefrom;  
a memory coupled to the decoder for storing the message;  
a database coupled to the decoder for storing a plurality of [codes] key words and image data associated therewith, the image data representative of images;  
a presentation element coupled to the database for determining whether at least one alphanumeric word included in the message matches at least one key word included in the database [referencing the database to retrieve image data that is associated with the at least one code and that is representative of at least one image]; and  
a display coupled to the presentation element for presenting, when at least one alphanumeric word matches at least one key word, [the at least one] a corresponding image as a graphic message [that conveys a meaning without requiring presentation of additional information] accompanied by the message, and for presenting, when at least one alphanumeric word does not match at least one key word, the message unaccompanied by any graphic messages.

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**REMARKS**

In the above-identified patent application, Claims 1-19 are pending. Claims 1-19 have been rejected, and the specification has been objected to by the Examiner. Additionally, various other mistakes have been noted by the Examiner.

**RESPONSE TO THE OFFICE ACTION**

In response to the Office Action dated December 26, 1996, Claims 4, 5, and 12-14 have been canceled without prejudice. Claims 1-3, 6, 9, 11, 15, and 17-19 have been amended. The specification has been amended in one (1) place. Additionally, three (3) sheets of proposed drawing corrections are submitted concurrently herewith.

**OBJECTION TO THE SPECIFICATION**

In the Office Action of December 26, 1996, the specification is objected to because the Brief Description of the Drawings does not describe FIGs. 18-23. Applicants have therefore amended the specification in one (1) place to include descriptions for FIGs. 18-23. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

**PROPOSED DRAWING CORRECTIONS**

In the Office Action of December 26, 1996, the Examiner notes several errors in the drawings. Applicants have therefore submitted proposed drawing corrections for sheet 1 (correcting FIG. 1), sheet 6 (correcting FIGs. 14-16), and sheet 8 (correcting FIG. 21).

Regarding FIG. 1, a reference database (157) has been added in red ink.

Regarding FIG. 14, reference number 155' has been replaced with --500--, as marked in red ink.

Regarding FIGs. 15 and 16, the figure numbers have been interchanged as marked in red ink.

Regarding FIG. 21, the spelling of "Charlotte" has been corrected in red ink.

Once the Examiner has approved the proposed drawing changes and indicated that the above-identified patent application includes allowable subject matter, Applicants will furnish a set of formal drawings incorporating approved changes.

REJECTION OF CLAIMS 1-3 UNDER 35 USC §102(b)

In the Office Action of December 26, 1996, Claims 1-3 are rejected under 35 USC §102(b) as being anticipated by Gaskill et al. (Gaskill). Applicants respectfully submit that the rejection of Claims 1-3 under 35 USC §102(b) has been overcome by the amendments to Claims 1-3 and the remarks herein.

As amended, Independent Claim 1 calls for determining whether any word of a received alphanumeric message matches a key word included in a database, wherein the key word is associated with image data representative of an image. When the message includes a word that matches a key word, the corresponding image is displayed as a graphic message along with the alphanumeric message. When the message does not include a word matching any key word, the alphanumeric message is displayed alone, without an accompanying graphic message.

Claims 2 and 3, as amended, depend from Amended Claim 1.

Gaskill shows a paging system in which the sender can input a code (column 7, line 64 to column 8, line 11) that is sent to a pager. The pager recognizes the code and displays a graphic symbol, such as a house or office icon, corresponding thereto (column 10, lines 23-31).

Applicants respectfully submit that Gaskill does not disclose the step of determining whether a word of a received alphanumeric message matches a key word stored in a database or the step of presenting, when the word matches a key word, a graphic message corresponding to the key word as well as the original alphanumeric message received by the data communication receiver. Gaskill further does not disclose the step of presenting, when no message words match any key words, the alphanumeric message without an accompanying graphic message.

Instead, in Gaskill, the sender can either enter a code that causes the display of an icon or a different code that permits the sending of information that is directly displayed by the recipient pager. There is no suggestion that a graphic message can be displayed to supplement the meaning of a conventionally entered and received alphanumeric message. Therefore, Applicants respectfully submit that Gaskill does not disclose each element of Amended Claims 1-3.

Accordingly, it is believed that the rejection of Claims 1-3 under 35 USC §102(b) has been traversed by the amendments to Claims 1-3 and the remarks hereinabove.

**REJECTION OF CLAIMS 4-5 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claims 4-5 are rejected under 35 USC §103 as being unpatentable over Gaskill in view of Miyashita. Applicants respectfully submit that the rejection of Claims 4-5 has been rendered moot by the cancellation of Claims 4 and 5 without prejudice.

**REJECTION OF CLAIMS 6-7 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claims 6-7 are rejected under 35 USC §103 as being unpatentable over Gaskill in view of Miyashita and Lipp et al. (Lipp). Applicants respectfully submit that the rejection of Claims 6-7 under 35 USC §103 has been overcome by the amendments to Claims 1 and 6 and the remarks herein.

Claims 6-7, as amended, depend from Independent Claim 1, as amended, and include all of the limitations thereof.

Miyashita describes a paging receiver that receives a code, recognition of which causes display of a canned message.

Lipp describes over the air programming of canned messages.

Applicants respectfully submit that the combination of Gaskill, Miyashita, and Lipp does not teach the step of determining whether a word of a received alphanumeric message matches a key word stored in a database or the step of presenting, when the word matches a key word, a graphic message corresponding to the key word as well as the original alphanumeric message received by the data communication receiver (as called for in Independent Claim 1, as amended). The combination of the cited art further does not suggest the step of presenting, when no message words match any key words, the alphanumeric message without an accompanying graphic message (as called for in Independent Claim 1, as amended).

Instead, in Gaskill, the sender can either enter a code that causes the display of an icon or a different code that permits the sending of information that is directly displayed by the recipient pager. There is no suggestion that a graphic message can be displayed to supplement the meaning of a conventionally

entered and received alphanumeric message. Miyashita similarly does not teach that words forming a received alphanumeric message can be compared to stored key words to determine whether a graphic message, representative of the word, is to be displayed along with the alphanumeric message itself or whether the alphanumeric message is to be displayed alone. Rather, Miyashita shows the reception of a general message *and* a code that causes display of a canned message with the general message. Miyashita therefore teaches away from presentation of a graphic message along with the general message in response to determining that one or more words *included in the general message* match a stored key word. Lipp does not correct the deficiencies of Gaskill and Miyashita because Lipp also does not suggest that words included in the alphanumeric message can cause display of a graphic message *accompanied by the alphanumeric message itself*.

The advantage of the invention described in Amended Claims 6 and 7, which depend from Amended Claim 1, is that a user who is not fluent in the language of the presented message can still, under some circumstances, understand the presented message. Specifically, sending of a key word *as a part of* the alphanumeric message causes presentation of a graphic message that can be understood by users of all languages. At the same time, the alphanumeric message itself is presented along with any graphic message so that meaning of the graphic message is clarified when read by a user having the appropriate language skills. Applicants therefore respectfully submit that the combination of Gaskill, Miyashita, and Lipp does not teach or suggest the features of Amended Claim 1, which are included in Dependent Claims 6 and 7, as amended.

Accordingly, it is believed that the rejection of Claims 6-7 under 35 USC §103 has been traversed by the amendments to Claims 1 and 6 and the remarks hereinabove.

**REJECTION OF CLAIM 8 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claim 8 is rejected under 35 USC §103 as being unpatentable over Gaskill in view of Miyashita, Lipp, and DeLuca et al. (DeLuca '005). Applicants respectfully submit that the rejection of Claim 8 under 35 USC §103 has been overcome by the amendments to Claims 1 and 6 and the remarks herein.

Claim 8 is a dependent claim that depends from Amended Claim 1.

For the reasons set forth above in connection with the rejection of Claims 6 and 7, Independent Claim 1 is believed to be patentable over the combination of Gaskill, Miyashita, and Lipp. Applicants respectfully submit that combining DeLuca with Gaskill, Miyashita, and Lipp does not render Independent Claim 1 obvious because DeLuca also does not teach or suggest that words included in a received alphanumeric message are compared to stored key words in a database, that, when a word of the message matches a key word, a graphic message corresponding to the key word is displayed along with the alphanumeric message itself, or that, when no message words match any key words, the alphanumeric message is displayed alone without an accompanying graphic message.

Because Dependent Claim 8 includes all of the limitations of Amended Claim 1, Claim 8 is also believed to be patentable over the combination of Gaskill, Miyashita, Lipp, and DeLuca.

Accordingly, it is believed that the rejection of Claim 8 under 35 USC §103 has been traversed by the amendments to Claims 1 and 6 and the remarks hereinabove.

#### **REJECTION OF CLAIMS 9-11 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claims 9-11 are rejected under 35 USC §103 as being unpatentable over Gaskill. Applicants respectfully submit that the rejection of Claims 9-11 has been overcome by the amendment to Claim 9 and the remarks herein.

Amended Claims 9-11 contain features similar to those called for in Independent Claims 1 and 2. For the reasons set forth in connection with the Rejection of Claims 1-3 and the Rejection of Claims 6-7, it is believed that Claims 9-11, as amended, are not rendered obvious by Gaskill.

Accordingly, it is believed that the rejection of Claims 9-11 has been traversed by the amendment to Claim 9 and the remarks hereinabove.



PATENT APPLICATION  
PT01367U

**REJECTION OF CLAIMS 12-14 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claims 12-14 are rejected under 35 USC §103 as being unpatentable over Gaskill in view of Miyashita, Lipp and DeLuca '005. Applicants respectfully submit that the rejection of Claims 12-14 under 35 USC §103 has been rendered moot by the cancellation of Claims 12-14 without prejudice.

**REJECTION OF CLAIMS 15-19 UNDER 35 USC §103**

In the Office Action of December 26, 1996, Claims 15-19 are rejected under 35 USC §103 as being unpatentable over Gaskill in view of Miyashita, Lipp and DeLuca '005. Applicants respectfully submit that the rejection of Claims 15-19 under 35 USC §103 has been overcome by the amendments to Claims 9 and 17-19 and the remarks herein.

Claims 15-18, as amended, depend from Amended Claim 9, which includes features similar to those called for in Amended Claim 1. For the reasons set forth above in connection with the Rejection of Claims 6-7 and the Rejection of Claim 8, it is believed that Amended Claim 9, like Amended Claim 1, is patentable over the combination of Gaskill, Miyashita, Lipp, and DeLuca. Since Claims 15-18 include all of the limitations of Amended Claim 9, Amended Claims 15-18 are also believed to be patentable over the combination of Gaskill, Miyashita, Lipp, and DeLuca.

Independent Claim 19, as amended, includes features and limitations similar to those called for in Amended Claim 1 and Amended Claim 9. Therefore, Amended Claim 19 is also believed to be patentable over the combination of Gaskill, Miyashita, Lipp, and DeLuca.

Accordingly, it is believed that the rejection of Claims 15-19 under 35 USC §103 has been traversed by the amendments to Claims 9 and 17-19 and the remarks hereinabove.

PATENT APPLICATION  
PT01367U

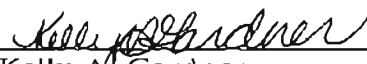
The foregoing is submitted as a full and complete response to the Office Action dated December 26, 1996. It is submitted that Claims 1-3, 6-11, and 15-19 are in condition for allowance, and a favorable response at an early date is earnestly solicited.

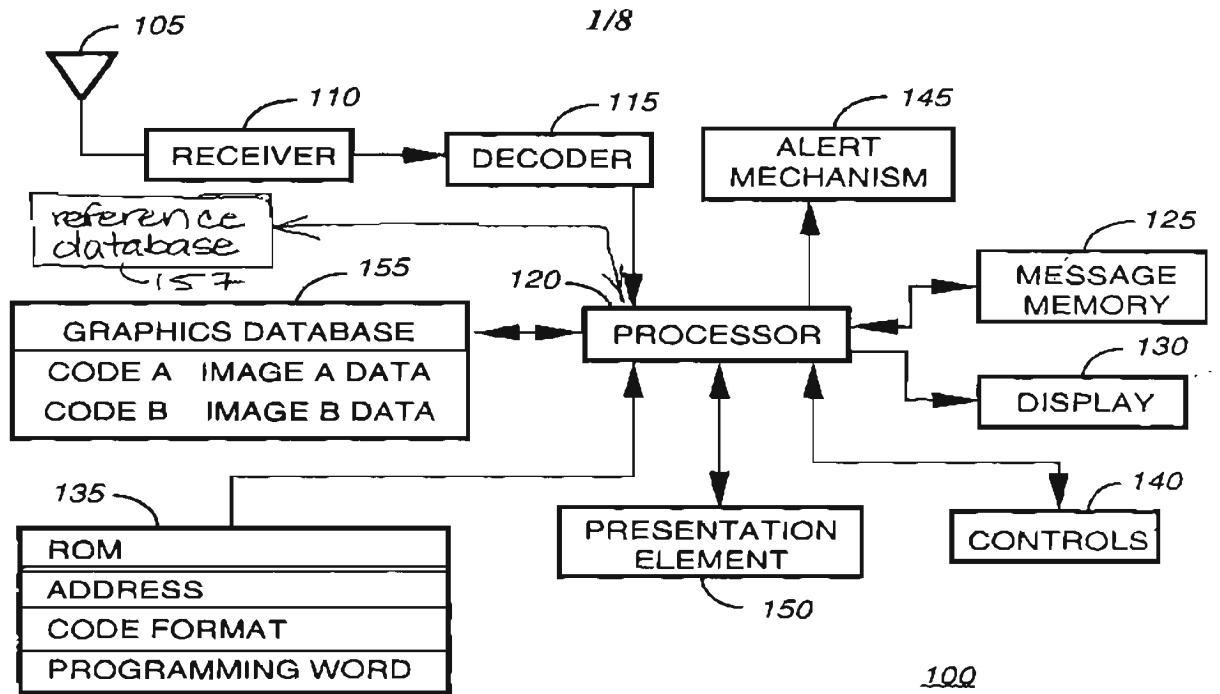
Applicants have previously paid for twenty (20) claims, including three (3) independent claims. After the foregoing Amendment, the above-identified patent application includes fourteen (14) claims, three (3) of which are independent. Applicants submit that no fee is due or owing at this time. Should it be determined that any fee is due or any excess fee has been received, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account #13-4778.

If the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, a telephone call to the undersigned is respectfully solicited.

Respectfully submitted,  
DELUCA, et al.

MOTOROLA, INC.  
IP Law Dept. MS96  
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Boynton Beach, Florida 33426

  
\_\_\_\_\_  
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FAX (561) 739-2825



**FIG. 1**

CODE	IMAGE
#01	TELEPHONE
#02	HOUSE
#03	OFFICE
#04	FAMILY
#05	TRAIN
#06	PERSON RUNNING
#07	COFFEE MUG
#08	CLOCK FOLLOWED BY TIME
#09	FOOD PLATTER

**FIG. 2**

KEY WORD	IMAGE
CALL, PHONE COFFEE, DRINK LUNCH, DINNER SEND, MAIL	TELEPHONE COFFEE MUG PLATTER ENVELOPE

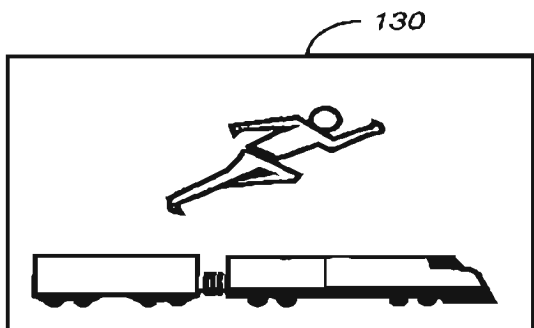
500 ~~155~~  
**FIG. 14**



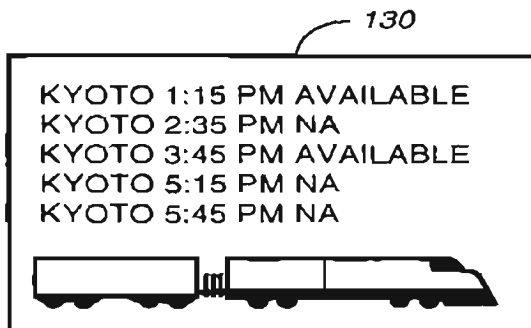
**FIG. 15** ~~16~~



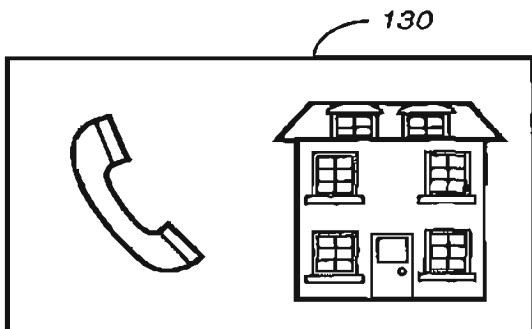
**FIG. 16** ~~15~~



**FIG. 18**



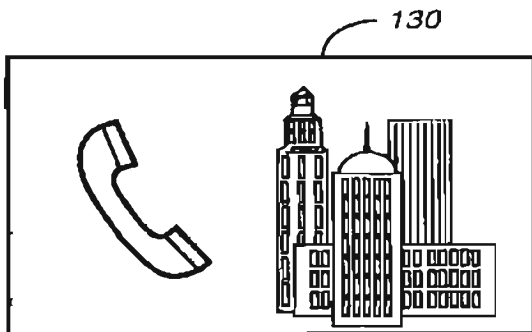
**FIG. 19**



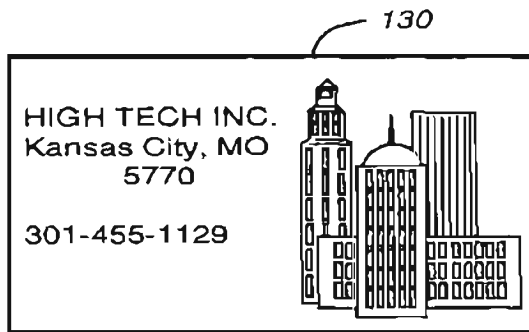
**FIG. 20**



**FIG. 21**



**FIG. 22**



**FIG. 23**

70014 U.S. PTO



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08898540.072297

PATENT APPLICATION

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

CONTINUATION OF  
SERIAL NO.: 08/560,604

EXAMINER: E. Merz

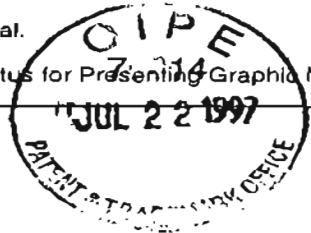
PARENT APPLICATION FILED: November 20, 1995

GROUP: 2211

APPLICANT: DeLuca, et al.

DOCKET NO.: PT01367UC01

TITLE: Method and Apparatus for Presenting Graphic Messages in a Data Communication Receiver



Motorola, Inc.  
Patent Department  
1500 Gateway Blvd.  
Boynton Beach, FL 33426  
July 18, 1997

File Wrapper Continuation Transmittal

Honorable Assistant Commissioner  
of Patents  
Box FWC  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a Continuation-in-part of pending prior application Serial No. 08/560,604 filed on November 20, 1995 by DeLuca, et al. for "Method and Apparatus for Presenting Graphic Messages in a Data Communication Receiver"

Enclosed are:

- \_\_\_ -- sheets of formal drawings, along with -- pages of specification and claims.
- \_\_\_ A new oath/declaration for a continuation-in-part application.
- \_\_\_ An assignment transmittal letter with Assignment of the invention to MOTOROLA, INC.
- \_\_\_ A Petition for Extension of Time and Fee Authorization to extend the time for response in the parent application.
- \_\_\_ A List of References.
- The filing fee is calculated below:

CLAIMS REMAINING AFTER ENTRY OF ANY RULE 116 AND/OR PRELIMINARY AMENDMENTS

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	6 - 20 =	0	X \$22.00	= \$ 0.00
INDEPENDENT CLAIMS	4 - 3 =	1	X \$80.00	= \$ 80.00
MULTIPLE DEPENDENT CLAIMS			\$250	= \$ 0.00
			BASIC FEE	=\$ 770.00
			TOTAL FILING FEE	=\$ 850.00

Please charge Deposit Account No. 13-4778 in the amount of \$650.00. Two duplicate copies of this sheet are enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-4778. Two duplicate copies of this sheet are enclosed.

Please transfer the entire contents of the prior application file wrapper to this new application and abandon said prior application as of the filing date accorded this new application.

Please enter the amendment which was filed in the prior application under 37 CFR 1.116, but was not entered.

Priority under 35 U.S.C 119 is claimed on the basis of prior \_\_\_\_\_ application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_. A certified copy of this foreign application was previously filed in the parent application.

Amend the specification by inserting before the first line the sentence:  
--This is a continuation of application Serial No. 08/560,604, filed November 20, 1995 and now abandoned.--

The inventor(s) of this application are the same as the inventor(s) of the parent application.

The prior application is assigned to MOTOROLA, INC.

The power of attorney in the prior application is to \_\_\_\_\_

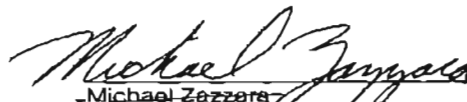
a.  The power appears in the original papers of the prior application.

b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c.  Recognize as associate attorney and address all future communications to \_\_\_\_\_

Please forward all correspondence to:

~~Motorola, Inc.  
Patent Department  
1500 Gateway Blvd-M6-86  
Boynton Beach, FL 33426~~

  
-Michael Zezzera  
Attorney for Applicants  
Registration No. 35,743  
MOTOROLA, INC.  
Phone: (561) 739-3969  
Fax: (561) 739-2825

17

08898640 072297

PATENT APPLICATION

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

CONTINUATION OF  
SERIAL NO.: 08/560,604

EXAMINER: E. Merz 60245 U.S. PTO  
08/898640

PARENT APPLICATION FILED: November 20, 1995

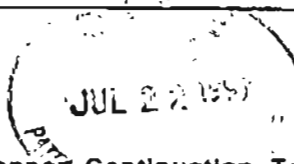
GROUP: 2211



APPLICANT: DeLuca, et al.

DOCKET NO.: PT01367UC01

TITLE: Method and Apparatus for Presenting Graphic Messages in a Data Communication Receiver



Motorola, Inc.  
Patent Department  
1500 Gateway Blvd.  
Boynton Beach, FL 33426  
July 18, 1997

File Wrapper, Continuation Transmittal

Honorable Assistant Commissioner  
of Patents  
Box FWC  
Washington, D.C. 20231

Dear Sir:

This is a request for filing a Continuation-in-part of pending prior application Serial No. 08/560,604 filed on November 20, 1995 by DeLuca, et al. for "Method and Apparatus for Presenting Graphic Messages in a Data Communication Receiver"

Enclosed are:

- sheets of formal drawings, along with -- pages of specification and claims.
- A new oath/declaration for a continuation-in-part application.
- An assignment transmittal letter with Assignment of the invention to MOTOROLA, INC.
- A Petition for Extension of Time and Fee Authorization to extend the time for response in the parent application.
- A List of References.
- The filing fee is calculated below:

CLAIMS REMAINING AFTER ENTRY OF ANY RULE 116 AND/OR PRELIMINARY AMENDMENTS

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	6 - 20 =	0	X \$22.00	= \$ 0.00
INDEPENDENT CLAIMS	4 - 3 =	1	X \$80.00	= \$ 80.00
MULTIPLE DEPENDENT CLAIMS			\$250	= \$ 0.00
BASIC FEE				= \$ 770.00
TOTAL FILING FEE				= \$ 850.00




- Please charge Deposit Account No. 13-4778 in the amount of \$850.00. Two duplicate copies of this sheet are enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-4778. Two duplicate copies of this sheet are enclosed.
- Please transfer the entire contents of the prior application file wrapper to this new application and abandon said prior application as of the filing date accorded this new application.
- Please enter the amendment which was filed in the prior application under 37 CFR 1.116, but was not entered.
- Priority under 35 U.S.C 119 is claimed on the basis of prior \_\_\_\_\_ application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. A certified copy of this foreign application was previously filed in the parent application.
- Amend the specification by inserting before the first line the sentence:  
--This is a continuation of application Serial No. 08/560,604, filed November 20, 1995 and now abandoned.--
- The inventor(s) of this application are the same as the inventor(s) of the parent application.
- The prior application is assigned to MOTOROLA, INC.
- The power of attorney in the prior application is to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- a.  The power appears in the original papers of the prior application.
- b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.  Recognize as associate attorney and address all future communications to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please forward all correspondence to:

Motorola, Inc.  
Patent Department  
1500 Gateway Blvd. MS 96  
Boynton Beach, FL 33426

  
Michael Zazzara  
Attorney for Applicants  
Registration No. 35,743  
MOTOROLA, INC.  
Phone: (561) 739-3969  
Fax: (561) 739-2825

*File 7/1/97*

U.S. MAIL  
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*Stamps*  
*6-23-97*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

JUN 20 1997

GROUP 2200

Applicant: DeLuca, Joan et al.

Docket No.: PT01367U

Serial No.: 08/560,604

Group Art Unit: 2211

Filed: November 20, 1995

Examiner: E. Merz

Title: METHOD AND APPARATUS FOR PRESENTING GRAPHIC MESSAGES IN A DATA COMMUNICATION RECEIVER

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS WASHINGTON, D.C. 20231, ON: June 11, 1997 Date of Deposit

Michael Zazzara

Name of Applicant, Assignee or Registered Representative

*Michael Zazzara*

SIGNATURE

6-11-97

DATE

765 09  
.05

AMENDMENT PURSUANT TO 37 C.F.R. §1.116

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

In response to the Office Action dated April 18, 1997, please amend the application as follows:

IN THE CLAIMS

*/ / / / /*

Please cancel claims 1 - 3, 9 - 11, and 15 - 16, without prejudice.

*1*

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06/24/1997 RICHMOND 0000109 04#-134724  
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Please amend claim 6 as follows:

1/3. (Twice Amended) [The method of claim 1, further comprising, prior to the referencing step, the steps of:] A method for displaying messages in a data communication receiver, the method comprising the steps of:  
— receiving an alphanumeric message;  
receiving a programming message that includes a key word and image data;  
storing the key word and the image data in the database;  
— referencing a database to determine whether at least one word included in the alphanumeric message matches at least one key word included in the database, wherein the at least one key word is associated with image data that is representative of at least one image;  
— presenting, when the alphanumeric message includes at least one word that matches at least one key word located in the database, the at least one image as a graphic message that is accompanied by the alphanumeric message on a display; and  
— presenting, when the alphanumeric message does not include at least one word that matches at least one key word located in the database, the alphanumeric message without an accompanying graphic message on the display.

Please amend claim 17 as follows:

4 17. (Twice Amended) [The data communication receiver of claim 16, wherein the programming means comprises] A data communication receiver for presenting information, the data communication receiver comprising:

— a receiver for receiving an alphanumeric message including at least one word;

— a database for storing key words and image data associated with the key words;

— a presentation element coupled to the receiver and the database for determining whether at least one word included in the alphanumeric message matches at least one key word included in the database, wherein the image data associated with the at least one key word is representative of at least one image;

— a display coupled to the presentation element for presenting, when the at least one word matches at least one key word, the at least one image as a graphic message accompanied by the alphanumeric message, and for presenting, when the at least one word does not match at least one key word, the alphanumeric message without an accompanying graphic message;

— controls coupled to the processor for providing user-initiated commands thereto, wherein presentation of the alphanumeric message and any accompanying graphic message occurs in response to reception of a display command; and

— programming means coupled to the processor and to the database for programming the database, the programming means further comprising:

the receiver for receiving a programming message including a key word and image data;

a memory for storing a programming word; and

storing means for storing the key word and the image data in the database in response to determining that the programming message includes the programming word.

( Please amend claim 18 as follows: )

5 18. (Twice Amended) [The data communication receiver of claim 16, wherein the programming means comprises] A data communication receiver for presenting information, the data communication receiver comprising:

— a receiver for receiving an alphanumeric message including at least one word;

— a database for storing key words and image data associated with the key words;

— a presentation element coupled to the receiver and the database for determining whether at least one word included in the alphanumeric message matches at least one key word included in the database, wherein the image data associated with the at least one key word is representative of at least one image;

— a display coupled to the presentation element for presenting, when the at least one word matches at least one key word, the at least one image as a graphic message accompanied by the alphanumeric message, and for presenting, when the at least one word does not match at least one key word, the alphanumeric message without an accompanying graphic message;

— controls coupled to the processor for providing user-initiated commands thereto, wherein presentation of the alphanumeric message and any accompanying graphic message occurs in response to reception of a display command; and

— programming means coupled to the processor and to the database for programming the database, the programming means further comprising:

controls for receiving a programming message comprising a key word and image data; and

storing means for storing the key word and the image data in the database.

### Remarks

In the above-identified patent application, claims 6 - 8 and 17 - 19 remain pending.

Claim 6 has been amended to make it independent, incorporating all the limitations of the base claim (claim 1). No other changes were made to claim 6.

Claim 17 has been amended to make it independent, incorporating all the limitations of the base claim (claim 9) and the intervening claim (claim 16). No other changes were made to claim 17.

Claim 18 has been amended to make it independent, incorporating all the limitations of the base claim (claim 9) and the intervening claim (claim 16). No other changes were made to claim 18.

Reconsideration of the rejection of claims 6 - 7 under 35 U.S.C. §103(a) as being unpatentable over Reed in view of Lipp et al., is respectfully requested for the following reason. The invention was made prior to the effective date of Lipp et al.; therefore, the Reed-Lipp combination fails as a basis for a rejection. See the Declaration Under 37 C.F.R. §1.131 by one of the applicants submitted herewith.

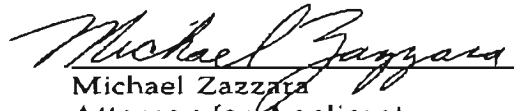
Reconsideration of the rejection of claims 8 and 17 - 19 under 35 U.S.C. §103(a) as being unpatentable over Reed and Lipp et al., in view of DeLuca et al. is respectfully requested for the following reason. The invention was made prior to the effective date of Lipp et al.; therefore, the Reed-Lipp-DeLuca combination fails as a basis for a rejection. See the Declaration Under 37 C.F.R. §1.131 by one of the applicants submitted herewith.

The foregoing is submitted as a full and complete response to the Office Action dated April 18, 1997. It is believed that claims 6 - 8 and 17 - 19 are in condition for allowance, and a favorable response at an early date is earnestly solicited.

Applicants have previously paid for twenty (20) claims, including three (3) independent claims. After the foregoing Amendment, the above-identified patent application includes six (6) claims, four (4) of which are independent. The Commissioner is hereby authorized to charge any fees which may be required to deposit account #13-4778.

If the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, a telephone call to the undersigned is respectfully solicited.

Respectfully submitted,  
DELUCA, et al.



Michael Zazzata  
Attorney for Applicant  
Reg. No. 35,743  
Tel. (561) 739-3969  
FAX (561) 739-2825

MOTOROLA, INC.  
IP Law Dept. MS96  
1500 Gateway Blvd.  
Boynton Beach, Florida 33426

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Attorney Docket PT01367U



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 I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR PRESENTING GRAPHIC MESSAGES IN A DATA COMMUNICATION RECEIVER, the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_  
as Application 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, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) \_\_\_\_\_ Priority Claimed

\_\_\_\_\_  
(Number) (County) (Day/Month/Year Filed)  Yes  No

\_\_\_\_\_  
(Number) (County) (Day/Month/Year Filed)  Yes  No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number) (Filing Date)

\_\_\_\_\_  
(Application Number) (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States 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.

\_\_\_\_\_  
(Application Number) (Filing Date) (Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application Number) (Filing Date) (Status - patented, pending, abandoned)


I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

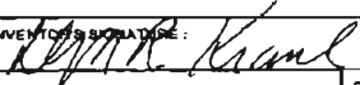
Daniel K. Nichols, Reg. No. 29,420; John H. Moore, Reg. No. 27,149; Keith A. Chanroo, Reg. No. 36,480; Pablo Meles, Reg. No. 33,739; D. Andrew Floam, Reg. No. 34,597; Philip P. Macnak, Reg. No. 33,308; Gregg E. Rasor, Reg. No. 34,413; Kelly A. Gardner, Reg. No. 35,147; Michael Zazzara, Reg. No. 35,743; R. Louis Breeden, Reg. No. 37,286; James A. Lamb, Reg. No. 38,529; Daniel R. Collopy, Reg. No. 33,667.


Address all telephone calls to Ms Kelly A. Gardner at telephone no. (407) 739-2860.

Address all correspondence to , Motorola, Inc., Intellectual Property Department - MS 96, 1500 Gateway Boulevard, Boynton Beach, Florida 33426-8292.

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.

FULL NAME OF FIRST INVENTOR <b>JOAN DELUCA</b>	INVENTOR'S SIGNATURE: 	DATE: <u>11/10/95</u>
RESIDENCE: <b>550 S.W. 6th Avenue, Boca Raton, FL 33486</b>	CITIZENSHIP: <b>United States</b>	
POST OFFICE ADDRESS: <b>Same as above</b>		

FULL NAME OF SECOND INVENTOR <b>DOUGLAS KRAUL</b>	INVENTOR'S SIGNATURE: 	DATE: <u>11-10-95</u>
RESIDENCE: <b>7911 Salem Lane, Parkland, FL 33067</b>	CITIZENSHIP: <b>United States</b>	
POST OFFICE ADDRESS: <b>Same as above</b>		

FULL NAME OF THIRD INVENTOR <b>CHARLES EDWARD BATEY, JR.</b>	INVENTOR'S SIGNATURE: 	DATE: <u>11-10-95</u>
RESIDENCE: <b>7182 Charleston Point Dr., Lake Worth, FL 33467</b>	CITIZENSHIP: <b>United States</b>	
POST OFFICE ADDRESS: <b>Same as above</b>		