EXHIBIT 25



09/17/2008

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. ISSUE DATE PATENT NO. ATTORNEY DOCKET NO. CONFIRMATION NO.

11/261,848 10/07/2008 7433694 2000319.00123US1 9162

WILMERHALE/BOSTON 60 STATE STREET BOSTON, MA 02109

7590

23483

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 404 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 Customer Service Center of the Office of Patent Publication at (571)-272-4200.

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

Edward J. Morgan, Needham, MA; Farshid Alizadch-Shabdiz, Wayland, MA; Russel K. Jones, Roswell, GA; Michael G. Shean, Boston, MA;

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

23483

7590

06/16/2008

WILMERHALE/BOSTON 60 STATE STREET BOSTON, MA 02109 EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

DATE MAILED: 06/16/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/261.848	10/28/2005	Edward J. Morgan	2000319.00123US1	9162

TITLE OF INVENTION: LOCATION BEACON DATABASE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	09/16/2008

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 correcte maintenance fee notificat	ed below or directed oth tions.	nerwise in Block 1, by (a) specifying a new corr	espondence address;	and/or (b) indicating a sep	parate "FEE ADDRESS" for
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)			No Fe pa	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, mushave its own certificate of mailing or transmission.		
23483 WILMERHAL 60 STATE STRI BOSTON, MA (/2008	T P	Cert	ificate of Mailing or Trans See(s) Transmittal is bein		
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						(Signature)
						(Date)
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTO	R	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/261,848 ITTLE OF INVENTION	10/28/2005 : LOCATION BEACON	I DATABASE	Edward J. Morgan		2000319.00123US1	9162
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE	FEE TOTAL FEE(S) DUE	E DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	09/16/2008
EXAM	INER	ART UNIT	CLASS-SUBCLASS			
LE, DA	ANH C	2617	455-456100			
 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. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON PLEASE NOTE: Unless an assignee is identified below, no assignee. 			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.			
(A) NAME OF ASSIC	GNEE	categories (will not be p	(B) RESIDENCE: (CIT	Y and STATE OR CO	DUNTRY)	roup entity 🚨 Government
4a. The following fee(s) are submitted: Issue Fee Publication Fee (No small entity discount permitted) Advance Order - # of Copies Change in Entity Status (from status indicated above)			☐ A check is enclosed☐ Payment by credit con ☐ The Director is here!	ard. Form PTO-2038	is attached. te the required fee(s), any decrease (enclose a	eficiency, or credit any
a. Applicant claims	s SMALL ENTITY state d Publication Fee (if requ	is. See 37 CFR 1.27.	ed from anyone other than		L ENTITY status. See 37 C tered attorney or agent; or t	CFR 1.27(g)(2). The assignee or other party in
·		tes I atent and Trademark		Date		
Typed or printed name	e			Registration No	D	
This collection of inform an application. Confident submitting the completed his form and/or suggesti Box 1450, Alexandria, V Alexandria, Virginia 223	irginia 22313-1450. DC	FR 1.311. The informatic U.S.C. 122 and 37 CFR USPTO. Time will vary rden, should be sent to the ONOT SEND FEES OR	on is required to obtain or 1.14. This collection is e y depending upon the ind the Chief Information Offi COMPLETED FORMS	retain a benefit by th stimated to take 12 m ividual case. Any cor cer, U.S. Patent and T FO THIS ADDRESS.	e public which is to file (an inutes to complete, includi nments on the amount of ti rademark Office, U.S. Dep SEND TO: Commissioner	nd by the USPTO to process) ng gathering, preparing, and ime you require to complete partment of Commerce, P.O. for Patents, P.O. Box 1450,

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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.
11/261,848	10/28/2005	Edward J. Morgan	2000319.00123US1	9162
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60 STATE STREE			ART UNIT	PAPER NUMBER
BOSTON, MA 02109			2617	
			DATE MAILED: 06/16/200	8

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 404 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 404 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).

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	A 11 (1 A)		
	Application No.	Applicant(s)	
Notice of Allowability	11/261,848	MORGAN ET AL.	Г
Notice of Anonability	Examiner	Art Unit	
	DANH C. LE	2617	
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	olication. If not include will be mailed in due	ed course. THIS
1. This communication is responsive to <u>4/8/08</u> .			
2. \boxtimes The allowed claim(s) is/are <u>1 and 2</u> .			
 Acknowledgment is made of a claim for foreign priority una a) All b) Some* c) None of the: Certified copies of the priority documents have Certified copies of the priority documents have Copies of the certified copies of the priority documents have Topies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have Copies of the certified copies of the priority documents have The priority documents have Applicant has THREE MONTHS FROM THE "MAILING DATE" on the priority documents have The priority documents have The priority documents have The priority d	been received. been received in Application No cuments have been received in this rece	national stage applica	
4. A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give			IOTICE OF
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") mus (a) ☐ including changes required by the Notice of Draftspers 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Paper No./Mail Date 	on's Patent Drawing Review (PTO-	·	
Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the			e back) of
DEPOSIT OF and/or INFORMATION about the depose attached Examiner's comment regarding REQUIREMENT I	sit of BIOLOGICAL MATERIAL n	· nust be submitted. N	Note the
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO/SB/08),	5. ☐ Notice of Informal Po 6. ☐ Interview Summary Paper No./Mail Dat 7. ☑ Examiner's Amendn	(PTO-413), e	
Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ☑ Examiner's Stateme 9. ☐ Other	nt of Reasons for Allo	owance

Application/Control Number: 11/261,848 Page 2

Art Unit: 2617

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with Mr. Hobgood on 6/2/2008.

In the Abstract:

In line 14, after "is provided", deleted " In response to a ".

Deleted line 15 to line 26.

Art Unit: 2617

Allowable Subject Matter

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

Claims 1 and 2 are allowed as stated in the Applicant's remarks on pages 4 and

5.

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."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

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.

May 23, 2008

/DANH C LE/ Primary Examiner, Art Unit 2617

Docket No.: 2000319.123US1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Morgan, Edward J. et al. Confirmation No.: 9162

Application No.: 11/261,848 Art Unit: 2617

Filed: October 28, 2005 Examiner: Le, Danh C

Title: LOCATION BEACON DATABASE

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

AMENDMENT

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 5, 2008, please amend the aboveidentified U.S. patent application as follows:

Amendments to the Specification begins 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 4 of this paper.

US1DOCS 6626626v1

Amendments to the Specification:

Please replace paragraphs [0002]-[0005] in the application as published with the following:

[0002] This application is related to the following U.S. Patent Applications, filed on an even date

Docket No.: 2000319.123US1

herewith:

[0003] U.S. Patent Application No. 11/261,898, entitled Server for Updating Location

Beacon Database;

[0004] U.S. Patent Application No. 11/261,988, entitled Location-Based Services that

Choose Location Algorithms Based on Number of Detected Access Points Within Range of User

Device; and

[0005] U.S. Patent Application No. 11/261,987, entitled Method and System for Building

a Location Beacon Database.

Application No. 11/261,848 Amendment dated April 8, 2008

Reply to Non-Final Office Action of February 5, 2008

Amendments to the Claims:

The following listing of the claims will replace all prior versions and listings of claims in

Docket No.: 2000319.123US1

the application.

Listing of the Claims;

1. (Currently Amended) A database of Wi-Fi access points for at least one target area

having a radius on the order of tens of miles, said database being recorded in a computer-

readable medium and including database records for substantially all Wi-Fi access points in the

target area, each record including identification information for a corresponding Wi-Fi access

point and calculated position information for the corresponding Wi-Fi access point, wherein said

calculated position information is obtained from recording multiple readings of the Wi-Fi access

point at different locations around the Wi-Fi access point so that the multiple readings to provide

reference symmetry when calculating the position of the Wi-Fi access point and to-avoid arterial

bias in the calculated position information of the Wi-Fi access point, and wherein the database

records for substantially all Wi-Fi access points in the target area provide reference symmetry

within the target area.

2. (Original) The database of claim 1 having database records for a plurality of target areas,

said database records being organized by target areas.

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Application No. 11/261,848 Docket No.: 2000319.123US1 Amendment dated April 8, 2008

Reply to Non-Final Office Action of February 5, 2008

REMARKS

Claims 1-2 are pending in the application. Applicants respectfully request

reconsideration of the application in view of the amendments.

Telephonic Interview on April 7, 2008

Applicants thank Examiner Danh for the telephonic interview held on April 7, 2008, with

the undersigned. During this interview, the participants discussed claim 1 and U.S. Pat. App.

Pub. No. 2004/0039520 of Khavakh et al. Applicants proposed amending claim 1 to more

particularly recite characteristics of the calculated position information and presented the

amendments above in a facsimile to Examiner Danh on April 8, 2008. During the telephone call,

applicants submitted that the cited references do not teach or suggest these features. Examiner

Danh stated that the amendments overcome the cited references.

Amendments to the Specification

Applicants have amended the Specification to include the serial numbers of the related

applications that were not available at the time the subject application was filed.

Information Disclosure Statement

Applicants enclose an Information Disclosure Statement (IDS) with this submission.

This IDS is being filed after the mailing date of the first Office Action on the merits and before

the mailing date of a final Office Action or a Notice of Allowance. Authorization to charge the

\$180.00 fee to our Deposit Account No. 08-0219 is enclosed. Applicants request that the

Examiner initial and return a copy of the enclosed Form PTO SB-08 with the next

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US1DOCS 6626626v1

Application No. 11/261,848

Amendment dated April 8, 2008

Reply to Non-Final Office Action of February 5, 2008

communication.

Conclusion

Applicants respectfully request an early and favorable reconsideration and issuance of

this application as amended herein. The Examiner is encouraged to contact the undersigned to

expedite prosecution of this application.

Authorization to charge the \$180.00 fee in connection with the IDS submission is

enclosed. No other fees are believed to be due in connection with this response. However,

please charge any fees due in connection with this application or credit any overpayments to

Deposit Acct. No. 08-0219.

Respectfully submitted,

Docket No.: 2000319.123US1

Date: April 8, 2008

/John V. Hobgood/ John V. Hobgood Registration No. 61,540 Attorney for Applicant

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, MA 02109 Tel: (617) 526-6658

Fax: (617) 526-5000

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Best Available Copy



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.
11/261,848	10/28/2005	Edward J. Morgan	2000319.00123US1	9162
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60 STATE STREET BOSTON, MA 02109		•	LE, DANH C	
		•	ART UNIT	PAPER NUMBER
	İ		2617	
			NOTIFICATION DATE	DELIVERY MODE -
		·	02/05/2008	ELECTRONIC

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

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

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

michael.mathewson@wilmerhale.com teresa.carvalho@wilmerhale.com sharon.matthews@wilmerhale.com

	Application No.	Applicant(s)			
	11/261,848	MORGAN ET AL.			
Office Action Summary	Examiner	Art Unit			
	DANH C. LE	2617			
The MAILING DATE of this communicate Period for Reply	ion appears on the cover sheet w	ith the correspondence addre	ess		
A SHORTENED STATUTORY PERIOD FOR WHICHEVER IS LONGER, FROM THE MAIL - Extensions of time may be available under the provisions of 3 after SIX (6) MONTHS from the mailing date of this communic - If NO period for reply is specified above, the maximum statuto - Failure to reply within the set or extended period for reply will, Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	ING DATE OF THIS COMMUN 7 CFR 1.136(a). In no event, however, may a ation. ry period will apply and will expire SIX (6) MO by statute, cause the application to become A	ICATION. I reply be timely filed INTHS from the mailing date of this commandantoned (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed o	n <u>10/28/05</u> .		!		
2a) This action is FINAL . 2b)	$oxed{\boxtimes}$ This action is non-final.				
3) Since this application is in condition for	allowance except for formal ma	tters, prosecution as to the m	nerits is		
closed in accordance with the practice	under <i>Ex parte Quayle</i> , 1935 C.	D. 11, 453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1 and 2 is/are pending in the a	pplication.				
4a) Of the above claim(s) is/are v	vithdrawn from consideration.				
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1 and 2</u> is/are rejected.		•			
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction	n and/or election requirement.				
Application Papers					
9) The specification is objected to by the E	xaminer.				
10) The drawing(s) filed on is/are: a)	☐ accepted or b)☐ objected to	by the Examiner.			
Applicant may not request that any objection	• , ,				
Replacement drawing sheet(s) including the	•				
11) The oath or declaration is objected to by	the Examiner. Note the attache	ed Office Action or form PTO	-152.		
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for a) All b) Some * c) None of:	foreign priority under 35 U.S.C.	§ 119(a)-(d) or (f).			
1. Certified copies of the priority do	cuments have been received.				
2. Certified copies of the priority do		Application No			
3. Copies of the certified copies of t		• •	age		
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)	. .				
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO 	· —	y Summary (PTO-413) o(s)/Mail Date			
3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of	Informal Patent Application			
Paper No(s)/Mail Date	6)	·			

U.S. Patent and Trademark Office PTOL-326 (Rev. 08-06)

Part of Paper No./Mail Date 20080128

Application/Control Number:

11/261,848 Art Unit: 2617

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 11/09/06 has been considered by the examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khavakh (US 2004/0039520) in view of Root (US 2004/0058640).

As to claim 1, Khavakh teaches a database of Wi-Fi access points for at least one target area (figure 3 and paragraphs 35, 36), said database being recorded in a computer-readable medium and including database records for substantially all Wi-Fi access points in the target area, each record including identification information for a corresponding Wi-Fi access point and calculated position information for the corresponding Wi-Fi access point, wherein said calculated position information is obtained from recording multiple readings of the Wi-Fi access point to provide reference symmetry when calculating the position of the Wi-Fi access point and to avoid arterial bias in the calculated position information.

Khavakh fails to teach having a radius on the order of tens of miles. Root teaches having a radius on the order of tens of miles (paragraph 38). Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Root into the system of Khavakh in order to predict of events within a particular spatial range of a particular dynamic spatial location.

As to claim 2, the combination of Khavakh and Root teaches the database of claim 1 having database records for a plurality of target areas, said database records being organized by target areas (figure 3, layer number).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- A. Patel US 5,315,636) teaches personal telecommunications system.
- B. Chow et al (US 5,564,121) teaches microcell layout having...in a building.
- C. Martinez (US 4,415,771) teaches public alert and advisory systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Page 4

11/261,848 Art Unit: 2617

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.

January 28, 2008

PRIMARY EXAMINER