

**DEFENDANTS' RESPONSIVE BRIEF ON
CLAIM CONSTRUCTION**

EXHIBIT 2



LAUTZI.001AUS

#7/AmoA
PATENT (120/5)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Frederic B. Richardson, III)	Group Art Unit 2202
)	
Serial No.	:	08/124,718)	
)	
Filed	:	September 21, 1993)	
)	
For	:	SYSTEM FOR SOFTWARE REGISTRATION)	
)	
Examiner	:	David C. Cain)	
)	

AMENDMENT IN RESPONSE TO JUNE 24, 1994 OFFICE ACTION

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

Dear Sir:

In response to the June 24, 1994 Office Action, please amend the above-captioned patent application as follows:

IN THE CLAIMS:

Please cancel Claims 22-24 and 27-29 without prejudice.

In Claim 13, at line 1, please delete "security routine or".

Please amend Claim 18 as follows:

18. (Amended) The registration system of Claim 17, wherein said environment details comprise [one or more elements of elements which are] at least one element which is generally not user-configurable on the platform.

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Applicant respectfully submits that the foregoing remarks are fully responsive to the rejections raised by the Examiner under 35 U.S.C. § 102 with respect to Chou. Applicant respectfully requests the Examiner to withdraw the rejection of Claims 1-21, 25, 26 and 30 under 35 U.S.C. § 102.

Discussion of Newly Cited Reference

The Examiner's attention is directed to U.S. 5,291,598 to Grundy submitted herewith and identified on form PTO-1449. The Examiner's consideration of Grundy is respectfully requested. Applicant respectfully submits that Claims 1-21, 25, 26 and 30 of the present application is patentably distinguished over Grundy for the following reasons.

The key to the present invention as claimed in Claim 1, for example, is that a "licensee unique ID" generated by a local licensee unique ID generating means has matched a licensee unique ID generated by a remote licensee unique ID generating means (see the last four lines of Claim 1 as filed). This matching requirement reflects the fact that the underlying algorithms which process identifying information input into both the local licensee unique ID generating means and the remote licensee unique ID generating means are the same and that both ID generating means rely upon the same information to generate the licensee unique ID. In effect, no new information is provided to the remote licensee unique ID generating means as compared with the information supplied to the local licensee unique ID generating means.

Grundy does not disclose or suggest the claimed invention. In particular, in Grundy, a "registration code" derived from information available on the local computer is inputted to a remote computer which, in turn, generates an "authorization code" which is a function of not only the registration code but also a user code. The user code is allocated by the remote computer. See, for example, page 15, lines 49 to 58 of Grundy; Fig. 3, box 317, of Grundy relating to the authorization process; and Claim I of Grundy.

Because additional information is added at the remote computer in Grundy, it follows automatically that a simple comparison or match of the registration code derived from the local

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computer and the authorization code derived from the remote computer is not possible. In order for the local computer to deem the authorization code as valid, the local computer is required to somehow take account of the additional information which has been added by the remote computer. Grundy does not describe precisely how this is achieved, but it is clear that the validity of the authorization code of Grundy cannot be determined as a simple match of the registration code with the authorization code.

Accordingly, Claim 1 of the present application which requires a match of the local license unique ID with the remote licensee unique ID is patentably distinguished over the fundamentally more complex process outlined in Grundy.

For similar reasons, Claims 2-12, which depend from Claim 1, and Claims 13-21, 25, 26 and 30 are patentably distinguished over Grundy.

Summary

Having amended the claims in response to the rejections under 35 U.S.C. § 112, and having submitted the foregoing arguments in support of the patentability of the claims, Applicant respectfully submits that Claims 1-21, 25, 26 and 30 are now in condition for allowance, and Applicant respectfully requests allowance of Claims 1-21, 25, 26 and 30.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR

Dated: December 21, 1994

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