

EXHIBIT 15



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/228,460 04/15/94 BEERNINK

E. P10170053A

EXAMINER
L.A.G., L.

26M2/0409

ART UNIT PAPER NUMBER

PAUL L. HICKMAN
HICKMAN & BEYER
P. O. BOX 61059
PALO ALTO, 94306

2609

DATE MAILED: 04/09/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire three month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- 1. Notice of References Cited by Examiner, PTO-892.
- 2. Notice of Draftsman's Patent Drawing Review, PTO-948.
- 3. Notice of Art Cited by Applicant, PTO-1449.
- 4. Notice of Informal Patent Application, PTO-152.
- 5. Information on How to Effect Drawing Changes, PTO-1474.
- 6. _____

Part II SUMMARY OF ACTION

- 1. Claims 1-25 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- 2. Claims 4, 12 and 21-23 have been cancelled.
- 3. Claims _____ are allowed.
- 4. Claims 1-3, 5-11, 13-20 and 24-25 are rejected.
- 5. Claims _____ are objected to.
- 6. Claims _____ are subject to restriction or election requirement.
- 7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- 8. Formal drawings are required in response to this Office action.
- 9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- 10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
- 11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
- 12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
- 13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- 14. Other

EXAMINER'S ACTION

Art Unit: 2609

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

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 negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-3, 5-11, 13-20, 24 and 25 are rejected under 35 U.S.C. § 103 as being unpatentable over Agulnick et al in view of More et al.

Agulnick et al teach a method for providing a gesture sensitive button comprising a digital processor(50); a display screen(10) connected to the digital processor(50); a pointer(4) (see figures 1, 2 and column 6, lines 26-31); a touch sensitive surface(12) (see figures 1, 2 and column 8, lines 59-60) for detecting the position of pointer on the touch sensitive surface(12); a button image(190) (see figure 4) and gesture recognition means(70, 90) (see figure 4) for detecting gestures(single tap(621) and double-tap(622)) (see figures 4, 45 and column 11, lines 4-18) made by the pointer(4). The

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processor(50) can be able to response to at two different button gestures(a single tap(621) and a double tap(622)) made by the pointer(4) over the button image(190) without any intermediate input(see figures 3, 4, 45).

Agulnick et al fail to disclose a touch sensitive surface co-extensive with a display screen. More et al disclose a graphical interface system comprising a touch-sensitive surface(41-60, 62) for detecting the position of pointer(a pen or a finger). The surface(41-60, 62) is co-extensive with the display screen(1)(see figure 1 and column 12, lines 4-46). It would have been obvious the have modified Agulnick et al with the teaching of More et al, so as to distinguish the display area and touch sensing area.

As to claims 3, 11, 19, More et al teaches a pointer can be a stylus or a finger and the touch-sensitive surface(41-60, 62) with a bounding box(see figure 1 and column 1, lines 42-47).

As to claim 2, More et al teach a pointer(3) are part of a pen-base computer system(see figure 2 and column 12, lines 4-12).

As to claims 7 and 9-10, Agulnick et al teach a button image(180) for presenting an altered image(next page) based on the detection of a button gesture(see figure 4 and lines 17-28).

As to claims 5 and 13, More et al teach one of the button gesture is tap; e.g. select a button(45)(see figure 1).

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As to claim 20, button gestures(a single tap and double tap) overlap at least approximately 40% of the bounding box(190)(see figure 4) is obvious design choice it would depend how large the pointer would be.

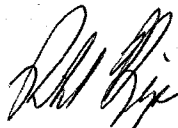
As to claims 6, 14, 15 and 25, Agulnick et al teach a computer system comprising a touch-sensitive surface(10), a pointer(stylus or pen) for entering check-marks(652) and X-marks(629) gestures to a computer(see figures 1, 2, 24, 45, 53, 54; column 6, lines 11-31; column 12, lines 3-7 and column 13, lines 28-39).

3. Applicant's arguments with respect to claims 1-3, 5-11, 13-20 and 24-25 have been considered but are deemed to be moot in view of the new grounds of rejection.

4. Any inquiry concerning this communication should be directed to Lun-Yi, Lao at telephone number (703) 305-4873.

April 4, 1996

Lun Yi Lao
Lun-Yi, Lao



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
GROUP 2600



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DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) David Lentini (3) _____

(2) Jun - Yi Lau (4) _____

Date of interview 4/13/96

Type: Telephonic Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted: Yes No. If yes, brief description: _____

Agreement was reached with respect to some or all of the claims in question. was not reached.

Claims discussed: 1

Identification of prior art discussed: Sach et al

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's attorney disagreed that Sach et al teach buttons (22a, 22b) which are not responsive to different gestures over the buttons. The examiner agreed that and the office action will be withdrawn. The examiner think that the combination of Sach et al and Agulbricket al can perform
(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- It is not necessary for applicant to provide a separate record of the substance of the interview.
- Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Jun - Yi Lau
 Examiner's Signature

PTOL 413 (REV. 1-84)

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