

EXHIBIT 17



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Client/Attorney Docket No.: P1017C/APL1P53A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BEERNINK, *et al.*

Serial No.: 08/228,460

Filed: April 15, 1994

For: GESTURE SENSITIVE BUTTONS FOR GRAPHICAL USER INTERFACES

Examiner: Lao, L.

Art Unit: 2609

RESPONSE

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

Sir:

The Applicants in the above-identified matter respectfully request reconsideration of the objections and rejections set forth in the Office Action mailed April 9, 1996, in view of the following remarks.

REMARKS

Claims 1-3, 5-11, 13-20, 24, and 25 remain pending in the present application. The Applicants acknowledge the Examiner's withdrawal of the rejections set forth in the Office Action mailed November 28, 1995, in view of the new grounds for rejection set forth in the Office Action mailed April 9, 1996. *See*, Examiner Interview Summary dated April 3, 1996.

Presently, all pending claims stand rejected as allegedly obvious over U.S. Patent No. 5,347,295 to Agulnick, *et al.*, ("Agulnick") in view of U.S. Patent No. 5,194,852 to More, *et al.* ("More"). The Examiner asserts that Agulnick teaches, *inter alia*, "a method for providing a gesture sensitive button" while More teaches, *inter alia*, "a touch-sensitive display screen." Office Action mailed April 9, 1996, at 2 and 3. These rejections are respectfully traversed in view of the following remarks.

In one aspect, the present invention provides gesture-sensitive, multi-function buttons for a graphical user interface. In one embodiment, the button of the invention includes a digital processor which is coupled to a display screen. A pointer for pointing to locations on the display screen is also included. This embodiment of the invention further includes a touch-sensitive surface co-extensive with the display screen and responsive to the position of the pointer on the touch-sensitive surface. Displayed on the display screen is a button image which image is responsive without any intermediate input to at least two different button gestures made by the pointer on the display screen at any location over said button region. Finally, gesture recognition means for detecting gestures made on the display screen by the pointer is provided. The gesture recognition means is operative to initiate a process in the digital processor that is determined by a recognizable button gesture made with the pointer on the display screen which gesture both selects the button image and which has meaning to the digital processor based upon a context associated with said button image. The gesture recognition means is arranged such that the function associated with each of the button gestures will be initiated and executed in an identical manner regardless of the location over the button image that the gesture was made.

The gesture-sensitive, multi-function buttons provided by the present invention will be appreciated as reducing screen clutter by combining the control of several functions and/or processes with a single button that is displayed on the graphical user interface. Such conservation of display "real estate" is very useful in computer systems having limited display size, such as laptop computers and personal digital assistants.

The Examiner asserts that Agulnick teaches gesture-sensitive buttons that respond to one- or two-tap gestures. *Id.* In support of this assertion, the Examiner suggests that Agulnick teaches the use of tab markers that can accept single or double taps. *Id.* at 3.

However, the Applicants respectfully submit that Agulnick actually *teaches away* from the present invention by describing "gesture areas", capable of handling multiple gestures, which gesture areas are distinct from buttons that can handle only a single tap:

Gestures have a strong advantage over visible controls. There may be, for a given computer action or command, both a gesture which can be drawn in a gesture area and a button or other command symbol which may be tapped to carry out the command. However, in the present invention, *the gesture area which is sensitive to the command gesture is preferably much larger than the corresponding button or the like which may be tapped to accomplish the same command.* This is due to the fact that a given region of the display can distinguish between many gestures and can display

changeable information, while a button must be labelled in some static way and can only accept a tap.

Agulnick at Column 10, lines 1–14 (emphasis added). Thus, Agulnick teaches graphical user interfaces in which certain regions, called gesture areas, can accept and process multiple user gestures. Agulnick, however, maintains the prior art's teaching with respect to buttons, *i.e.*, Agulnick teaches a graphical user interface in which buttons are responsive to a single gesture only to initiate a single response, and, therefore, does not show or suggest the present invention.

Thus, the Applicants respectfully submit that the tab markers to which the Examiner refers are not "buttons" are required by the rejected claims, but rather are interface devices that correspond to the above-described "gesture areas" which, Agulnick teaches, are distinct from buttons. Indeed, as the quote above indicates, Agulnick teaches that buttons respond solely to a single gesture (*i.e.*, a tap) to provide a single response. Indeed, Agulnick's interface design does nothing to relieve the display clutter found on most small computer devices (*e.g.*, laptops and PDAs). Thus, Agulnick cannot be said to show or suggest the present invention.

More does nothing to overcome the deficiencies of Agulnick. More is directed solely to teaching touch-sensitive screens that are co-extensive with displays and are responsive to pointer devices. More does not show or suggest the multi-gesture sensitive buttons provided by the present invention as claimed.

Therefore, the Applicants respectfully submit that neither Agulnick nor More, alone or in combination, shows or suggests the present invention. Withdrawal of the rejections of the above-listed claims is therefore respectfully requested.

CONCLUSION

For the reasons presented above, the Applicants respectfully submit that the claims pending in the above-identified application are in condition for allowance. A Notice of Allowance is therefore respectfully requested. Should any unresolved issues remain, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,
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