

EXHIBIT E

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Docket No. 3048-7035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Orton et al. OTLC Docket: P-046.63
Serial No.: 09/140,523 Group Art Unit: 2762
Filed: August 26, 1998 Examiner: J. Chavis
For: OBJECT-ORIENTED OPERATING SYSTEM

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AMENDMENT

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

Please consider the following remarks in response to the Office Action of August 4, 1999, as follows:

REMARKS

Claims 11-30 remain in the case.

The Examiner rejected claims 11-30 for non-statutory double patenting over claims 1-4 of US Patent 5,379,432.

In response, the terminal disclaimer under 37 CFR 1.321[c], accompanying this communication and filed herewith, is believed to overcome this ground of the Examiner's rejection.

The Examiner rejected claims 11-30 under 35 USC 103 over the Schmidt, "Systems Programming With C++ Wrappers", C++ Report, October 1992

In response, the Applicant must assert that Schmidt's disclosed technique definitely does not respond to invocations of the object-oriented methods at run-time, as is claimed by the Applicant.

Instead, Schmidt's repeated references to using "inline functions" is proof that his the technique is limited to compile-time. Schmidt also refers repeatedly to the benefit of his technique as allowing error checking at "compile-time" rather than "run-time". He also makes repeated references to "stronger type-checking", "type-safe operations", and "type mismatch detection"

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which are compile time features. Schmidt also talks about developers "designing and implementing" their own "wrappers", stating it "is an effective way for programmers to learn C++". Schmidt fails to disclose responding to invocations of the object-oriented methods at run-time, as claimed by the Applicant.

The Applicant's claimed invention allows writing a program once, compiling it once, and simply by the differences in the platform on which it runs, use the appropriate wrapper. Thus in claimed invention, the object oriented statements using a wrapper are located by the system at run-time while running or executing, whereas in Schmidt the locating is completed at development time. Schmidt fails to disclose or even suggest the Applicant's claimed invention.

By the above remarks, the Applicant believes all of the issues raise by the Examiner have been resolved. Accordingly, the Applicant respectfully requests the Examiner's reconsideration of the claims, allow the claims and pass the case to issue.

The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4503, Order No. _____.

Respectfully submitted,
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Dated: 11/3/99

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