

## EXHIBIT F



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/140,523	08/26/98	ORTON	D P-046.63

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LM02/0201

EXAMINER

CHAVIS, J

ART UNIT

PAPER NUMBER

2762

DATE MAILED:

02/01/00

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

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>09/140,523</b>	Applicant(s) <b>Orton et al.</b>
	Examiner <b>Chavis, J.O.</b>	Group Art Unit <b>2762</b>

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a), in no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

Responsive to communication(s) filed on 11-4-99

This action is **FINAL**

Since this application is 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.

**Disposition of Claims**

Claim(s) 11-30 is/are pending in the application.

Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 11-30 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

**Application Papers**

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119 (a)-(d)**

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

**Attachment(s)**

<input type="checkbox"/> Information Disclosure Statement(s), PTO-1449, Paper No(s), _____	<input type="checkbox"/> Interview Summary, PTO-413
<input type="checkbox"/> Notice of Reference(s) Cited, PTO-892	<input type="checkbox"/> Notice of Informal Patent Application, PTO-152
<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review, PTO-948	<input type="checkbox"/> Other _____

**Office Action Summary**

**DETAILED ACTION**

*Claim Rejections - 35 USC § 103*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 11-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt, as cited in the previous action.
3. Applicant's arguments filed November 4, 1999 have been fully considered but they are not persuasive. The applicant indicates that Schmidt's system does not respond to invocations of the object-oriented methods at run-time and makes references to Schmidt's use of the term "inline functions" as proof that Schmidt's system is limited to compile-time. The applicant also mentions that Schmidt "refers repeatedly to the benefit of his technique as allowing error checking at "compile-time" rather than run-time", which is considered irrelevant since neither the applicant's system or Schmidt's system is designed for error checking. The applicant's claims also do not discuss error checking and neither does the examiner's response to the claims.

In reference to Schmidt's system not responding to invocations of the object-oriented methods at run-time, the examiner considers Schmidt's system to support the features. The features are indicated via the details of the Portability and Extensibility subheadings on page 4.

Under the portability section notice that "Application programs may then be written using a single object-oriented API, which is mapped **transparently** onto the appropriate system calls that access the particular underlying OS mechanisms." Transparent mapping is inherently a **run-time** function (ie. while running or executing).

Furthermore, under the extensibility subheading, notice the reference to **dynamic binding** (also a run-time feature) to "help improve the extensibility of the existing OS interfaces". "The goal is to allow applications to extend the original API's **without** modifying the design or implementation of the existing wrapper infrastructure."

Therefore, for the reasons cited in the previous action and the responses above, the rejection of claims 11-30 is consider proper in view of the teachings of Schmidt.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chavis whose telephone number is (703) 305-9665. The examiner can normally be reached on Monday-Friday from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz (**New Art Unit 2762**), can be reached on (703) 305-9643. The fax phone number for this Group is (703) 305-0040.

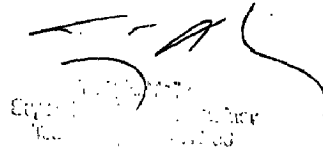
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Art Unit: 2762

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



JQC  
January 28, 2000



Stamp: RECEIVED  
JAN 28 2000  
GROUP RECEPTIONIST