IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Jeffrey S. Cotton
App. No.	:	13/831,015
Filed	:	March 14, 2013
For	:	SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS
Examiner	:	Clifford B. Madamba
Art Unit	:	3693
Conf No.	:	4841

Response to August 22, 2013 Office Action

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the office action of August 22, 2013 ("Office Action"), Applicant submits the following:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Summary of Interview begins on page 6 of this paper.

Remarks/Arguments begin on page 8 of this paper.

DS EXHIBIT 1006

AMENDMENTS TO THE SPECIFICATION

Please amend paragraph [0001] as follows:

[0001] This application is a continuation of U.S. Patent Application No. 13/789,510 filed March 7, 2013, which is a continuation of U.S. Patent Application No. 13/299,293 filed November 17, 2011, now U.S. Patent No. 8,396,791, which is a continuation of U.S. Patent Application No. 13/076,203 filed March 30, 2011, now U.S. Patent No. 8,095,461, which is a continuation of U.S. Patent Application No. 12/911,552 filed October 25, 2010, now U.S. Patent No. 8,005,752, which is a continuation of U.S. Patent Application No. 10/996,122, filed November 23, 2004, now U.S. Patent No. 7,827,~~009~~099, which claims priority to United States Provisional Patent Application No. 60/525,233, which was filed November 25, 2003 and is entitled "SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS." The foregoing applications are hereby incorporated by reference in their entirety into this application.

AMENDMENTS TO THE CLAIMS

1. (Currently amended) A method comprising:

by a computer system comprising computer hardware:

retrieving, for a set of potential customers having current vehicles, customer information, current financial terms for the current vehicles, and current vehicle information, from at least one data repository accessible via a computer network;

determining when a change affecting at least one of the customer information, current financial terms, and current vehicle information has occurred in the at least one data repository since a previous retrieval of information;

determining a set of deals, wherein each deal in the set of deals is associated with a specific potential customer in the set of potential customers and is determined by:

~~determining~~ identifying a replacement vehicle that is comparable to the current vehicle of the specific potential customer;

retrieving replacement vehicle information and new financial terms ~~available to the customer for~~ associated with the replacement vehicle;

determining whether the change that occurred in the at least one data repository may affect the current vehicle information or the current financial terms for the current vehicle of the specific potential customer; and

calculating a new payment based on ~~each of the following:~~ the current financial terms for the current vehicle[[;]], the new financial terms[[;]], the current vehicle information[[;]], and the replacement vehicle information;

identifying a subset of selected deals from the set of deals, wherein a deal is identified as a selected deal by:

determining if the new payment associated with the deal satisfies a deal parameter based on a comparison between the new payment and the current payment for the current vehicle associated with the deal ~~at least one of the current financial terms, the new financial terms, and an amount of a new payment~~; and

~~retrieving vehicle service information comprising a service date;~~

~~using at least some of the customer information and service information to contact the customer,~~ including the deal in the subset of selected deals if ~~the service date is within a predefined range and~~ the new payment satisfies the deal parameter; and

alerting a dealer to at least one selected deal within the subset of selected deals.

2. (Currently Amended) The method of claim 1, wherein ~~the service date is associated with at least one of a repair order and a past, present, or future vehicle service appointment~~ identifying a deal as a selected deal further comprises:

retrieving vehicle service information comprising a service date for the current vehicle associated with the deal; and

excluding the deal from the subset of selected deals if the service date is outside of a predefined range.

3. (Original) The method of claim 1, wherein calculating the new payment relies on an estimate or default assumption for at least a portion of the current financial terms, new financial terms, current vehicle information, or replacement vehicle information.

4. (Currently amended) The method of claim 1, wherein ~~contacting the customer~~ alerting the dealer comprises notifying the dealer ~~customer~~ of at least one of the replacement vehicle, the new financial terms, and the new payment associated with the at least one selected deal.

5. (Currently amended) The method of claim ~~1~~2, wherein the predefined range is based at least in part on input received from a ~~user via a~~ graphical user interface.

6. (Currently amended) The method of claim 1, wherein the deal parameter is based at least in part on input received from a ~~user via a~~ graphical user interface.

7. (Currently amended) The method of claim ~~1~~2, further comprising presenting at least some of the service information and customer information via a graphical user interface that displays customer information or service information for ~~a plurality of~~ multiple potential customers.

8. (Currently amended) The method of claim 7, wherein the vehicle service information further comprises a service time and the graphical user interface is configured to allow ~~a user to sort~~ sorting of the presented information based on at least one of service dates and service times.

9. (Currently amended) The method of claim 7, wherein the graphical user interface allows ~~a user to associate~~ association of at least some of the deals in the subset of selected deals ~~plurality of customers~~ with one or more contact management tasks.

10-16. (Cancelled)

17. (New) The method of claim 1, wherein calculating the new payment for each deal in the set of deals comprises:

determining a trade-in value for the current vehicle of the specific potential customer;

calculating a payoff amount for the current vehicle based on the current financial terms and a payment history of the specific potential customer;

subtracting the payoff amount from the trade-in value, thereby yielding a trade equity for the current vehicle; and

subtracting the trade equity from a price of the replacement vehicle, thereby yielding a reduced capitalized cost from which the new payment may be calculated.

18. (New) The method of claim 2, wherein the service date is associated with a repair order or a vehicle service appointment.

SUMMARY OF INTERVIEW

Attendees, Date and Type of Interview

An interview was conducted on August 6, 2013. Examiner Clifford Madamba and Applicants' representatives Philip M. Nelson (Reg. No. 62,676) and Jeremy Anapol attended by phone.

Exhibits and/or Demonstrations

N/A

Identification of Claims Discussed

The claims of record.

Identification of Prior Art Discussed

The prior art of record.

Proposed Amendments

See Interview Request Form.

Principal Arguments and Other Matters

Applicant's representatives maintained that the claims as originally filed were patentable over the art of record, but offered proposed amendments to advance prosecution. Examiner Madamba acknowledged that the art of record does not teach every limitation of the claims as originally filed, or the additional limitations of the proposed amendments. However, he indicated that he was unwilling to allow the claims and would issue new rejections. Examiner Madamba suggested that Applicant shift the focus of the claims away from service-related features and incorporate significant data elements. In this regard, he referred to the subject matter of claims in the parent case(s).

Applicant's representatives believe that the interview summary filed by Examiner Madamba inadvertently refers to art and issues that were not discussed in the interview. There was no discussion of issues related to 35 U.S.C. § 101 in the interview, and the Hudock and Cohen references were not mentioned. In addition, neither § 101 nor the Hudock and Cohen references appeared in the Pre-Interview Communication, so Applicant's representatives believe

that these details were inadvertently copied from an interview summary for a different application.

Results of Interview

In the interview, agreement was not yet reached regarding allowability of the present claims.

REMARKS

The specification has been revised by the amendment above to correct the priority claim. No new matter has been added.

Claims 1-16 were pending in the present application. Claims 1-2 and 4-9 have been amended, claims 10-16 have been cancelled, and new claims 17-18 have been added. Accordingly, claims 1-9 and 17-18 are now pending.

The Office Action rejected claims 1-16 as allegedly obvious over various combinations of U.S. Patent No. 5,774,883 ("Andersen"), U.S. Patent Publication No. 2004/0039690 ("Brown"), U.S. Patent No. 7,130,821 ("Connors"), U.S. Patent No. 6,480,105 ("Edwards"), and U.S. Patent No. 7,249,322 ("Jones"). Applicant disagrees with all rejections and respectfully requests allowance of all claims now pending in the present application.

A. Independent Claim 1 Is Patentable

Claim 1 was rejected as allegedly obvious over Brown and Connors under 35 U.S.C. § 103. Applicant disagrees with and traverses this rejection. However, Applicant has amended claim 1 to advance prosecution. Claim 1, as currently amended, incorporates features that the cited references fail to teach or suggest, alone or in combination. For example, the references fail to teach or suggest at least the following features of claim 1:

> determining a set of deals, wherein each deal in the set of deals is associated with a specific potential customer in the set of potential customers and
> [...]
> identifying a subset of selected deals from the set of deals, wherein a deal is identified as a selected deal by:
> determining if the new payment associated with the deal satisfies a deal parameter based on a comparison between the new payment and the current payment for the current vehicle associated with the deal [...]

As a further example, the references also fail to teach or suggest at least the following other features of claim 1:

> determining when a change affecting at least one of the customer information, current financial terms, and current vehicle information has occurred in the at least one data repository since a previous retrieval of information;
> determining a set of deals, wherein each deal in the set of deals is associated with a specific potential customer in the set of potential customers and is determined by

> […]
> determining whether the change that occurred in the at least one data repository may affect the current vehicle information or the current financial terms for the current vehicle of the specific potential customer […]

Applicant therefore respectfully requests allowance of claim 1.

B. Dependent Claims 2-9 Are Patentable

Claims 2-9 depend directly or indirectly from claim 1, and are therefore patentable for at least the same reasons described above with respect to claim 1. In addition, claims 2-9 recite additional features that the cited art fails to teach or suggest. For example, the cited art fails to teach or suggest the following features of claim 2:

> retrieving vehicle service information comprising a service date for the current vehicle associated with the deal; and
> excluding the deal from the subset of selected deals if the service date is outside of a predefined range

Applicant therefore respectfully requests allowance of claims 2-9.

C. Dependent Claims 17 and 18 Are Patentable

Claims 17 and 18 depend directly or indirectly from claim 1, and are therefore patentable for at least the same reasons described above with respect to claim 1. The additional features of claim 17 are supported by the specification, including at least ¶¶ 35 and 38. The additional limitations of claim 18 were previously included in claim 2 and have simply been moved to a new claim. No new matter has been added.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used, unless otherwise noted. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion alone or to imply that the limitation discussed is essential or critical. Rather, patentability rests on each claim taken as a whole; it is the combination of features or acts recited in a claim that distinguishes it over the art of record.

Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Applicant does not concede that the cited references are prior art to this application and reserves the right to disqualify any of the cited references as prior art. Applicant may not have presented all arguments concerning how the applied references do not render the claims anticipated or obvious, or how the references cannot be properly combined or modified in view of their deficiencies. Accordingly, Applicant reserves the right to later present additional arguments of patentability—for example, to later contest whether a proper motivation and suggestion exists to combine or modify any of the applied references.

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, issuance of a Notice of Allowance is requested.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Philip M. Nelson at (949) 721-6383 to resolve such issue(s) promptly.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

Docket No.	Serial No.	Title	Filed
AUTLT.001C6	13/797803	SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS	03/12/13
AUTLT.001C7	13/789510	SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS	03/07/13

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 23, 2013

By: / Philip M. Nelson/
Philip M. Nelson
Registration No. 62,676
Attorney of Record
Customer No. 20995
(949) 760-0404

AMEND

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