



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/010,424	02/24/2009	6131121	2655-0186	6648

42624 7590 08/16/2010

DAVIDSON BERQUIST JACKSON & GOWDEY LLP
4300 WILSON BLVD., 7TH FLOOR
ARLINGTON, VA 22203

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 08/16/2010

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DO NOT USE IN PALM PRINTER

(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

Blakely Sokoloff Taylor & Zafman LLP

1279 Oakmead Parkway

Sunnyvale, CA 94085-4040

MAILED

AUG 16 2010

CENTRAL REEXAMINATION UNIT

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/010,424.

PATENT NO. 6131121.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

**Notice of Intent to Issue
Ex Parte Reexamination Certificate**

Control No.

90/010,424

Patent Under Reexamination

6131121

Examiner

ALEXANDER J.
KOSOWSKI

Art Unit

3992

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
 - (a) ☒ Patent owner's communication(s) filed: 28 July 2010.
 - (b) ☐ Patent owner's late response filed: _____.
 - (c) ☐ Patent owner's failure to file an appropriate response to the Office action mailed: _____.
 - (d) ☐ Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
 - (e) ☐ Other: _____.

Status of *Ex Parte* Reexamination:

 - (f) Change in the Specification: ☐ Yes ☒ No
 - (g) Change in the Drawing(s): ☐ Yes ☒ No
 - (h) Status of the Claim(s):
 - (1) Patent claim(s) confirmed: 12-14.
 - (2) Patent claim(s) amended (including dependent on amended claim(s)): 6-11
 - (3) Patent claim(s) cancelled: _____.
 - (4) Newly presented claim(s) patentable: _____.
 - (5) Newly presented cancelled claims: _____.
2. ☒ Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
3. ☐ Note attached NOTICE OF REFERENCES CITED (PTO-892).
4. ☐ Note attached LIST OF REFERENCES CITED (PTO/SB/08).
5. ☐ The drawing correction request filed on _____ is: ☐ approved ☐ disapproved.
6. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the certified copies have
 - ☐ been received.
 - ☐ not been received.
 - ☐ been filed in Application No. _____.
 - ☐ been filed in reexamination Control No. _____.
 - ☐ been received by the International Bureau in PCT Application No. _____.

* Certified copies not received: _____.
7. ☐ Note attached Examiner's Amendment.
8. ☐ Note attached Interview Summary (PTO-474).
9. ☐ Other: _____.

cc: Requester (if third party requester)

U.S. Patent and Trademark Office
PTOL-469 (Rev.08-06)

Notice of Intent to Issue Ex Parte Reexamination Certificate

Part of Paper No 20100810

DETAILED ACTION

1) This Office action addresses claims 6-14 of United States Patent Number 6,131,121 (Mattaway et al), for which it has been determined in the Order Granting Ex Parte Reexamination (hereafter the "Order") mailed 3/11/09 that a substantial new question of patentability was raised in the Request for *Ex Parte* reexamination filed on 2/24/09 (hereafter the "Request"). Claims 1-5 are not subject to reexamination. This action is in response to the supplemental amendment filed after final on 7/28/10. Claims 6-14 are hereby confirmed and/or allowable.

REMARKS

2) Examiner notes that the amendment filed 7/28/10 includes amendments to claims 9-11 that are similar to those made to claims 6-8 in the previous after final amendment filed 7/19/10. As noted in the advisory action mailed 7/27/10, claims 6-8 were allowable in view of these amendments. Therefore, claims 9-11 are now also allowable. Both after final amendments have been entered by the examiner.

STATEMENT OF REASONS FOR PATENTABILITY AND/OR CONFIRMATION

3) Claims 6-14 are confirmed.

The following is an examiner's statement of reasons for confirmation of the claims found patentable in this reexamination proceeding:

Referring to claims 6-11, the claims are allowable over the prior art that was explained in the request and determined to raise a substantial new question of patentability in the order granting reexamination and over the prior art that was applied and discussed by the examiner in

Art Unit: 3992

the present reexamination proceeding because that prior art does not explicitly teach dynamically assigned network protocol addressing, in combination with the remaining elements or features of the claimed invention.

Referring to claims 12-14, the claims are allowable over the prior art that was explained in the request and determined to raise a substantial new question of patentability in the order granting reexamination and over the prior art that was applied and discussed by the examiner in the present reexamination proceeding because that prior art does not explicitly teach receiving network protocol addresses from a server, in combination with the remaining elements or features of the claimed invention.

Conclusion

All correspondence relating to this ex parte reexamination proceeding should be directed as follows:

By U.S. Postal Service Mail to:

Mail Stop Ex Parte Reexam
ATTN: Central Reexamination Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX to:

(571) 273-9900
Central Reexamination Unit

By hand to:

Customer Service Window
Randolph Building
401 Dulany St.
Alexandria, VA 22314

By EFS-Web:

Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at

<https://portal.uspto.gov/authenticate/authenticateuserlocalepf.html>

EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act on the correspondence. Also, EFS-Web submissions are "soft scanned" (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

Application/Control Number: 90/010,424

Page 5

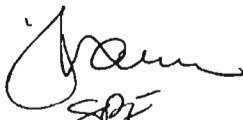
Art Unit: 3992

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/Alexander J Kosowski/

Primary Examiner, Art Unit 3992

EOK


EPE
Au 3992