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PATENT
Attorney Docket No. **3680.0083-01**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Dennis W. CAMERON et al.	)	
	)	
Serial No.: 08/124,219	)	Group Art Unit: 2611
	)	
Filed: September 21, 1993	)	Examiner: T. Le
	)	
For: NATIONWIDE COMMUNICATION SYSTEM	)	
	)	

12-2-96
RE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

In response to the Office Action dated May 17, 1996, the response to which has been extended three months by the concurrent filing of a petition for extension of time, please amend this application as follows:

IN THE CLAIMS:

Please cancel claim 9 without prejudice or disclaimer of the subject matter thereof, and amend claims 1 and 6 and add new claims 10 and 11 as follows:

1. (Thrice Amended) A mobile unit for transmitting and receiving radio frequency signals to and from a communications network comprising:

means for receiving a radio frequency message from the network;

a display for displaying said message;

a switch [means for] actuatable to specify a portion of the displayed message for

C/ cont.

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which a user desires retransmission [allowing a user to selectively request retransmission of a portion of said message] from the communications network;

means for transmitting, only upon actuation of the switch [means], a signal to the communications network requesting retransmission of said specified portion of said message; and

means for receiving said specified portion retransmitted from the communications network and for displaying the received specified portion on the display.

6. (Thrice Amended) A communications network for transmitting radio frequency signals to a mobile unit and for receiving radio frequency signals from the mobile unit comprising:

means for transmitting radio frequency signals containing a message to the mobile unit;

means for receiving, from the mobile unit, radio frequency signals [from the mobile unit indicating that a user desires the network to retransmit] representing a portion of the message that the user desires retransmission [to the mobile unit];

means for retransmitting radio frequency signals containing the portion of the message to the mobile unit.

~~8.~~ 10. A method for receiving and transmitting messages at a mobile unit, comprising the steps of:

receiving at the mobile unit a radio frequency message;

displaying said message on the mobile unit;

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receiving an indication of a portion of the displayed message for which a user desires retransmission;

transmitting, only upon receipt of the indication, a signal requesting retransmission of said indicated portion of said message;

receiving a retransmission of said indicated portion; and

displaying the received retransmission of said indicated portion on the mobile unit.

C3 cancel.

9.

~~11~~. The method according to claim ~~10~~ 8, further comprising the step of:

detecting errors in the received message; and

wherein the step of displaying comprises the substep of:

highlighting said errors in the message on the mobile unit.

REMARKS

In the Office Action dated May 17, 1996, the Examiner rejected the pending claims over various cited references. In particular, the Examiner rejected claims 1, 5-6, and 8-9 under 35 U.S.C. § 103 as being unpatentable over Davis in view of Spragins et al.; rejected claim 3 under 35 U.S.C. § 103 as being unpatentable over Davis in view of Spragins et al. and Willard et al.; and rejected claims 4 and 7 under 35 U.S.C. § 103 as being unpatentable under 35 U.S.C. § 103 over Davis in view of Spragins et al. and Iwasaki.

Applicants have canceled claim 9, amended claims 1 and 6, and added new claims 10 and 11 to more appropriately define the invention. The outstanding rejections should be withdrawn, and the pending claims allowed over the cited

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references.

Claim 1, as amended, defines a mobile unit comprising a combination of elements. According to amended claim 1, the mobile unit includes, among other things, a switch actuatable to specify a portion of the displayed message for which a user desires retransmission from the communications network. By providing this switch, the mobile unit of claim 1 maximizes efficiency in two ways. First, the mobile unit does not automatically request retransmission of a received message simply because it contains an error. Rather, the switch must be actuated before any requests for retransmission will be transmitted. Second, retransmission can be requested of only a portion of a message, rather than the entire message.

None of the cited references contains any teachings corresponding to the mobile unit defined by claim 1. For example, no teaching can be found in any of the cited references of an element corresponding to the switch of claim 1. As previously discussed, Tsurumi, the main reference cited by the Examiner, discloses a paging system that allows users to indicate when they have finished reading messages stored in the pager. The pagers transmit process confirmation signals to a base station, which then transmits new messages to be stored in the pager. The purpose of this system is to minimize the pager's memory capacity by replacing read messages with new messages. No teaching can be found in Tsurumi, however, of a switch actuatable to specify a portion of the displayed message for which a user desires retransmission from the communications network.

Similarly, Spragins et al., Willard et al., and Iwasaki do not overcome this

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deficiency. None of these references contain any teachings relating to a switch actuatable to specify a portion of the displayed message. Spragins et al., for example, discloses a system that automatically retransmits a message frame whenever a negative acknowledgment is received. If a received message frame contains an error, a negative acknowledgment signal requesting retransmission is automatically transmitted, regardless of whether the user decides that retransmission is necessary. Thus, under this technique, there is no provision for allowing a user to selectively request retransmission of a portion of a received message, as provided by the mobile unit of claim 1.

Accordingly, none of the references discloses or suggests the mobile unit of claim 1. Therefore, claim 1, and its dependent claims (claims 3-5, 7, and 8), should be allowed over the cited references.

Claim 3 should be allowed for an additional reason. As previously discussed, this claim recites, among other things, that the display of the mobile unit of claim 1 includes means for highlighting errors in the received message when the message is displayed on the display. The cited references do not in any way disclose or suggest this feature. Indeed, the Examiner appears to openly concede this deficiency. (See Office Action, para. 4, where the Examiner acknowledges that Davis, Spragins et al., and Willard et al. do not disclose means for highlighting errors.) Nevertheless, the Examiner insists upon finding this claim obvious without any support.

In doing so, the Examiner has engaged in a clear case of impermissible hindsight. The Examiner cannot find all the elements of claim 3 in any combination of

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the prior art, and thus cannot support his obviousness rejection. Accordingly, the rejection of claim 3 should be withdrawn for this additional reason.

Claim 6 defines a communications network, including means for receiving, from the mobile unit, radio frequency signals representing a portion of the message that a user desires retransmission. As discussed in connection with claim 1, the cited references do not disclose or suggest this feature. Accordingly, claim 6 should be allowed over the cited references.

New claim 10 defines a method for receiving and transmitting messages comprising a combination of steps. These steps recite acts similar to the recitations of the mobile unit defined by claim 1. Again, the references do not contain any disclosure or suggestion of the step of receiving an indication of a portion of the displayed message for which a user desires retransmission. Thus, claim 10, and its dependent claim 11, are allowable. Claim 11 is also allowable for the additional reason that it recites the step of highlighting errors in the message displayed on the mobile unit. As discussed in connection with claim 3, this feature is not disclosed or suggested by the cited references. Thus, claim 11 is allowable for this additional reason.

In view of the foregoing remarks, applicants request reconsideration and withdrawal of the rejections, and the timely allowance of the pending claims. Should the Examiner dispute the patentability of any of the claims, applicants request that the Examiner telephone the undersigned at (202) 408-4398 to discuss any outstanding issues.

If an extension of time required to timely file this Amendment under 37 C.F.R.

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§ 1.136 is not accounted for above, such extension is hereby requested and the fee for the extension should be charged to our Deposit Account No. 06-0916. If there are any other fees due in connection with the filing of this Amendment not accounted for above, such fees should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Robert C. Cahill Reg. No. 20557
for 601 Allen M. Lo
Reg. No. 37,059

Dated: November 12, 1996

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PATENT
Attorney Docket No. **3680.0083-01**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dennis W. CAMERON et al.

Serial No.: 08/124,219 — Group Art Unit: 2611

Filed: September 21, 1993 — Examiner: T. Le

For: NATIONWIDE COMMUNICATION SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

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means for transmitting radio frequency signals containing a message to the mobile unit;

means for receiving, from the mobile unit, radio frequency signals [from the mobile unit indicating that a user desires the network to retransmit] representing a portion of the message that the user desires retransmission [to the mobile unit];

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transmitting, only upon receipt of the indication, a signal requesting retransmission of said indicated portion of said message;

receiving a retransmission of said indicated portion; and

displaying the received retransmission of said indicated portion on the mobile unit.

11. The method according to claim 10, further comprising the step of:

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Robert C. Cahill Reg. No. 20337
for Allen M. Lo
Reg. No. 37,059

Dated: November 12, 1996

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PATENT 12/09

Attorney Docket No. **3680.0083-01**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: NATIONWIDE COMMUNICATION SYSTEM	)	
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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PETITION FOR EXTENSION OF TIME

Applicants hereby petition for three (3) months extension of time to respond to the Office Action of May 17, 1996, extending the due date to November 17, 1996. A fee of $930.00 is enclosed.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Robert C. Cahill Reg. No. 20557
for/ Allen M. Lo
Reg. No. 37,059

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By: Robert C. Cahill Reg. No. 20557
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