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NOTICE OF ALLOWANCE AND FEE(S) DUE

20277 7590 01/24/2012
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER

ESKANDARNIA, ARVIN

ART UNIT

PAPER NUMBER

2453

DATE MAILED: 01/24/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/170,938

07/10/2008

Takashi Matsubara

062807-0528

1984

TITLE OF INVENTION: PORTABLE TERMINAL, INFORMATION PROCESSING APPARATUS, CONTENT DISPLAY SYSTEM AND CONTENT DISPLAY METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	04/24/2012

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

20277 7590 01/24/2012
MCDERMOTT WILL & EMERY LLP
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WASHINGTON, DC 20005-3096

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	04/24/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
ESKANDARNIA, ARVIN	2453	709-218000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1 _____

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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12/170,938	07/10/2008	Takashi Matsubara	062807-0528	1984

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EXAMINER

ESKANDARNIA, ARVIN

ART UNIT	PAPER NUMBER
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2453

DATE MAILED: 01/24/2012

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 190 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 190 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No.	Applicant(s)	
	12/170,938	MATSUBARA ET AL.	
	Examiner	Art Unit	
	ARVIN ESKANDARNIA	2453	

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amenments filed on 12/8/2011.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 22 and 30.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|---|--|

/ARVIN ESKANDARNIA/
Examiner, Art Unit 2453

/Krista M. Zele/
Supervisory Patent Examiner, Art Unit 2453

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Slotznick U.S. Publication No. 2005/0282582 A1 discloses a telephone device that is used to establish two-way communication with remotely located entity, or to transfer content from display screen for full viewing of the content. The two-way communication is initiated by an object emitting a signal containing a telephone number to the telephone device which in turn automatically dials the telephone number.

Walker et al. U.S. Publication No. 2004/0242304 A1 discloses a gaming system that includes a network server connected to a plurality of gaming devices that are adapted to provide a video payout on each play based on a set of payout parameters. Memory of each gaming device stores payout parameters that correspond to each possible gaming result or outcomes. When a play is initiated by a player, a gaming result is generated at a gaming device.

Goto U.S. Publication No. 2009/0030614 A1 discloses that in an information presenting apparatus, a frequency of usage of each term contained in one text or more is calculated for each user who has implemented an operation onto the text. Based on the frequency of usage of the terms, the frequencies of usage of each term are compared between a specific user and other users to find a difference there between, and terms for which the difference is equal to or larger than a predetermined value are presented.

Applicant's remarks filed 12/8/11 are deemed persuasive over the prior art of record.

Prior arts taken alone or in combination fail to teach A portable terminal, comprising: a display unit which displays video content; a communication unit which performs radio communication with an external device; an operation unit which receives a user operation from a user; and when the operation unit receives a first user operation instructing video content to be displayed on the external device during displaying of the video content on the display unit, a control unit which controls the communication unit such that identification information identifying the video content and state information on display state are transmitted to the external device in order to permit viewing of the video content, which is being displayed on the display unit, on the external device, when the operation unit receives a first operation instructing content display on the external device during displaying of the content on the display unit, wherein: when the communication unit transmits the identification information and the state information to the external device, the control unit controls the display unit to- terminate the display of the video content on the display unit, and display information on the display unit for receiving a second user operation to operate the video content displayed on the external device, when the operation unit receives the second user operation to operate the video_content after the display of the video content on the display unit is terminated, the control unit controls the communication unit to transmit an instruction according to the second user operation, and when the operation unit receives a third user operation instructing video content to be displayed on the display unit during displaying of the video content on the external device, the control unit controls the communication unit such that information related to

Art Unit: 2453

the third user operation is transmitted to the external device in order to permit viewing of the video content, which is being displayed on the external device, on the display unit the display unit to resume the display of the content.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARVIN ESKANDARNIA whose telephone number is (571)270-3205. The examiner can normally be reached on Monday - Thursday, 8:00AM-6:00PM (EST),.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele can be reached on (571)272-7288. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2453

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ARVIN ESKANDARNIA/

Examiner, Art Unit 2453

Date: January 09, 2012

/Krista M. Zele/

Supervisory Patent Examiner, Art Unit 2453

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Takashi MATSUBARA, et al.	:	Confirmation Number: 1984
	:	
Application No.: 12/170,938	:	Group Art Unit: 2448
	:	
Filed: July 10, 2008	:	Examiner: ESKANDARNIA, Arvin
	:	
For:	:	PORTABLE TERMINAL, INFORMATION PROCESSING APPARATUS, CONTENT DISPLAY SYSTEM AND CONTENT DISPLAY METHOD

AMENDMENT UNDER 37 C.F.R. § 1.114

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

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated October 28, 2011 together with a Request for Continued Examination (RCE) filed concurrently herewith. Please amend the above-identified application as follows.

AMENDMENTS TO THE CLAIMS

Claims 1-21 (Cancelled)

22. (Currently Amended) A portable terminal, comprising:

a display unit which displays ~~[[a]]~~ video content;

a communication unit which performs radio communication with an external device;

an operation unit which receives a user operation from a user; and

when the operation unit receives a first user operation instructing video content to be displayed on the external device during displaying of the video content on the display unit, a control unit which controls the communication unit such that identification information identifying the video content and state information on display state are transmitted to the external device in order to permit viewing of the video content, which is being displayed on the display unit, on the external device, when the operation unit receives a first operation instructing content display on the external device during displaying of the content on the display unit, wherein:

~~wherein,~~ when the communication unit transmits the identification information and the state information to the external device, the control unit controls the display unit to:

terminate the display of the video content on the display unit, and

display information on the display unit for receiving a second user operation to operate the video content displayed on the external device, and, if

when the operation unit receives ~~[[a]]~~ the second user operation to operate the video content from the user after the display of the video content on the display unit is terminated, the

control unit controls the communication unit to transmit an instruction according to the second user operation, and

when the operation unit receives a third user operation instructing video content display to be displayed on the display unit during displaying of the video content on the external device, the control unit controls the communication unit such that information related to the third user operation is transmitted to the external device in order to permit viewing of the video content, which is being displayed on the external device, on the display unit ~~the display unit to resume the display of the content.~~

Claims 23-29 (Cancelled)

30. (Currently Amended) A method for displaying video content, the method comprising steps of:

displaying ~~[[a]]~~ the video content on ~~[[the]]~~ a display unit of a portable terminal;

establishing radio communication with an external device;

~~during displaying of the content on the portable terminal~~, receiving a first ~~operating instruction~~ user operation ~~from a user to instruct~~ instructing video content display to be displayed on the external device during displaying of the video content on the display unit of the portable terminal;

transmitting identification ~~information content~~ identifying the video content and state information on display state to the external device in order to permit viewing of the video content, which is being displayed on the display unit, on the external device;

during or after transmission of the identification information and the state information to the external device, terminating display of the video content on the display unit of the portable terminal;

~~following termination of the display of the content, upon receiving a second operating instruction from the user,~~

displaying information on the display unit of the portable terminal for receiving a second user operation to operate the video content displayed on the external device;

transmitting an instruction according to the second user operation ~~operating instruction~~ to the external device[[],]; and

upon receiving a third user operation ~~operating instruction from the user~~ instructing video content to be displayed on the display unit of the portable terminal during displaying of the video content on the external device, transmitting information relating to the third user operation to the external device in order to permit viewing of the video content, which is being displayed on the external device, on the display unit of the portable terminal ~~resuming display of the content on the portable terminal.~~

Claims 31-34 (Cancelled)

REMARKS

Claims 22-34 were pending in this application at the time of the mailing of the Office Action. By this amendment, independent, claims 22 and 30 have been amended and claims 23-29 and 31-34 have been cancelled without prejudice or disclaimer with Applicants reserving the right to pursue these claims in a continuation application. Support for the amendments appears at least at paragraphs [0012], [0107], FIGS. 3-5 and corresponding sections of U.S. Patent App. Pub. No. 2009/0081950 (the USPTO publication of the present application). No new matter has been added. Favorable reconsideration of the application in light of the following comments is respectfully solicited.

Applicants acknowledge, with appreciation, Examiner Eskandarnia and Supervisor Zele's courtesy and professionalism in conducting a personal interview on December 1, 2011, during which several claim amendments were discussed. Applicants confirm that the Examiners' helpful suggestions during the personal interview were not required amendments to the claims, but rather suggestions to further clarify the claims. It is noted that Examiner Eskandarnia and Applicants' representative conducted a subsequent telephonic interview on December 2, 2011 to further discuss amendments to independent claim 22, which Examiner Eskandarnia believed further clarified the subject matter of independent claim 22. Applicants have revised the claims following the telephonic interview for further clarity. Independent method claim 30 has been amended in a substantially similar method as claim 22.

In the Office Action, claims 22-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2005/0282582 (Slotznick) in view of U.S. Patent App. Pub. No. 2004/0242304 (Walker). Applicants respectfully traverse.

As described in the present application, the subject matter described in the application transmits identification information identifying the content and state information indicating the content display state from the current terminal to other (external) terminal and completes the display of the content on the current terminal. Further, the present application transmits the user operation from a first terminal to a second terminal after the content display is switched to the second terminal. See e.g., Fig. 5 of the present application. Moreover, as described in the summary section of the present application, at paragraphs [0012]-[0013], prior to the present application, description has not been given of an idea to achieve a smoother cooperative operation when the viewing of a content just being conducted on the portable terminal is to be relayed or passed to the video playback device. One object of the present application is to provide a portable terminal and a content display method wherein viewing of content (e.g., video content) on a portable terminal is smoothly passed to an external device such as an information processing apparatus. See also, FIGS. 3-5.

Slotznick, at FIG. 1B depicts the transfer of viewing content from a hand unit of a phone with a display to a larger display screen (e.g., TV). At [0012] of Slotznick, an objective of the publication application is to transfer viewing content from a hand-held telephone (with a smaller screen) to a larger screen of a TV such that the amount and type of data can be displayed. Applicants submit that there is no motivation or suggestion in Slotznick to transfer the viewing content back to the smaller display of the hand unit of the phone.

The Office Action referenced Walker, for disclosing a resume code that is provided to a player upon a termination of a video presentation on an initial terminal. The user inputs the resume code into another terminal (e.g., slot machine) to resume display of the video presentation from the point of termination. See [0024] and [0046]. The information for

resuming the display is uploaded from the slot machine to the slot network server and downloaded to another slot machine upon user's resume code input. There is no direct information transmission from one terminal to another terminal.

Applicants submit that neither Slotznick nor Walker discloses or remotely suggests the subject matter of claim 22, wherein upon receiving a third user operation instructing video content to be displayed on the display unit during displaying of the video content on the external device, the control unit controls the communication unit such that information related to the third user operation is transmitted to the external device in order to permit viewing of the video content, which is being displayed on the external device, on the display unit. The steps of independent method claim 30 have been amended in a substantially similar manner as claim 22.

Again, Slotznick fails to even disclose transfer the viewing content back to the smaller display of the hand unit of the phone. Moreover, in Walker, the user inputs the resume code into another slot machine to resume display of the video presentation from the point of termination. Thus, in Walker, there is no content being displayed on the initial terminal upon receipt of a third user operation. Accordingly, even if the Slotznick and Walker references are combined as suggested by the Examiner, the subject matter of independent claims 22 and 30 would not have been obvious. Reconsideration and withdrawal of the rejection are therefore solicited.

Accordingly, it is urged that the present application is in condition for allowance, an indication of which is respectfully solicited. **If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

12/170,938

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, reading "Brian K. Seidleck". The signature is written in a cursive, flowing style.

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Date: December 8, 2011


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<p style="text-align: center;">Request for Continued Examination (RCE) Transmittal</p> <p>Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Application Number	12/170,938
	Filing Date	July 10, 2008
	First Named Inventor	Takashi MATSUBARA, et al.
	Art Unit	2448
	Examiner Name	ESKANDARNIA, Arvin
	Attorney Docket Number	062807-0528

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Education (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action of the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) \$810
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	January 20, 2011
Name (Print/Type)	Eric M. Shelton	Registration No.	57,630

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
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This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Takashi MATSUBARA, et al.	:	Confirmation Number: 1984
	:	
Application No.: 12/170,938	:	Group Art Unit: 2448
	:	
Filed: July 10, 2008	:	Examiner: ESKANDARNIA, Arvin
	:	
For:		PORTABLE TERMINAL, INFORMATION PROCESSING APPARATUS, CONTENT DISPLAY SYSTEM AND CONTENT DISPLAY METHOD

AMENDMENT FILED WITH RCE

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

Sir:

A Request for Continued Examination (RCE) and the following amendment and remarks are submitted in response to the Office Action dated November 3, 2010, having a three-month shortened period for response set to expire February 3, 2011.

Amendments to the Claims are reflected in the listing of amended claims beginning on page 2 of this paper. This listing of claims replaces all prior versions, and listings, of claims in the application.

Remarks begin on page 10.

AMENDMENTS TO THE CLAIMS

Please enter the following amendments:

1. (Currently Amended) A portable terminal, comprising:
 - a receiving unit which receives content information;
 - an external device communication unit which conducts communication with an external information device;
 - a display unit which displays the content information received by the receiving unit;
 - an identification information acquiring unit which acquires identification information identifying the content information displayed by the display unit;
 - an operation unit which receives an operation indication from a user;
 - a history information acquiring unit which acquires history information indicating a history of operations conducted by the user via the operation unit and having influenced upon the display on the display unit while the content information is being displayed by the display unit;
 - and
 - a control unit which conducts control such that if a transmission indication of the identification information is received by the operation unit while the content information is being displayed, the identification information acquired by the identification information acquiring unit and the history information acquired by the history information acquiring unit is transmitted to the external information device.

2. (Previously Presented) A portable terminal according to claim 1, wherein
the control unit conducts control such that the display of the content information by the display unit is terminated after the identification information and the history information are transmitted to the external information device; and

the control unit conducts control such that if the operation unit conducts an operation to indicate termination of the display of the content information by the external information device, a signal to indicate termination of the content information is transmitted to the external information device and the display of the content information by the display unit is resumed.

3. (Previously Presented) A portable terminal according to claim 1, wherein:
the control unit conducts control such that the display of the content information by the display unit is terminated after the identification information and the history information are transmitted to the external information device;

the indication of transmission of the identification information is conducted by an operation to press a predetermined button;

the display unit displays a message indicating a change-over of an entity of the display of the content information in response to the operation to press a predetermined button; and

the control unit conducts control such that if the operation to press a predetermined button is conducted after the transmission of the identification information, a signal to indicate termination of the display of the content information is transmitted to the external information device and the display of the content information by the display unit is resumed.

4. (Original) A portable terminal according to claim 1, wherein the control unit conducts control such that if the operation unit conducts an operation to indicate termination of the display of the content information by the external information device, a signal indicating transmission of identification information identifying the content information being outputted to the external information device is transmitted to the external information device, the identification information is received from the external information device, content information corresponding to the identification information is received, and the content information is displayed by the display unit.

5. (Original) A portable terminal according to claim 1, wherein the control unit conducts control such that after the transmission of the identification information to the external information device, the portable terminal is made to serve as a remote control device which operates the external information device.

6. (Original) A portable terminal according to claim 5, wherein the control unit conducts control such that if the operation unit conducts an operation to indicate termination of the display of the content information by the external information device, the control to make the portable terminal serve as a remote control device is terminated.

7. (Previously Presented) A portable terminal according to claim 1, wherein:
the content information is content information of an internet site; and
the identification information is Uniform Resource Locator (URL) information of the internet site.

8. (Previously Presented) A portable terminal according to claim 7, wherein the content information is content information of a TV program, and the identification information is information indicating a channel of the TV program.

9. (Previously Presented) A portable terminal according to claim 7, wherein the display history information includes information indicating a position of a pointer displayed together with the content information by the display unit.

10. (Original) A portable terminal according to claim 1, wherein:
the external device communication unit is an infrared-ray communication unit using an infrared ray; and
the control unit transmits, when transmitting the identification information, a command indicating a start of communication from the infrared-ray communication unit to the external information device and starts infrared-ray communication conforming to an IrDA standard after the command is transmitted, thereby transmitting the identification information.

11. (Currently Amended) An information processing apparatus, comprising:
a broadcast receiving unit which receives broadcast data;
a network communication unit which receives content information via a network;
a communication unit which conducts communication with a portable terminal;
a display unit which displays broadcast data received by the broadcast receiving unit or content information received by the network communication unit; and

a control unit which conducts control such that if the communication unit receives identification information and history information while the display unit is displaying broadcast data received by the broadcast receiving unit, the network communication unit receives content information corresponding to the identification information to be displayed on the display unit, and the display unit displays the received content information in a state indicated by the history information in place of the broadcast data, the identification information identifies content information displayed on the portable terminal and the history information indicates a history of operations conducted and having influenced upon a display on the portable terminal while the content information is being displayed on the portable terminal,

the control unit conducting control such that if the communication unit receives an indication signal indicating termination of the display of the content information by the display unit, the display of the content information is terminated and the display of broadcast data received by the broadcast receiving unit is resumed.

12. (Previously Presented) An information processing apparatus according to claim 11, wherein the control unit conducts control such that if the communication unit receives an indication signal indicating termination of the display of the content information by the display unit, identification information identifying the content information being displayed on the display unit when the indication signal is received is transmitted to the portable terminal.

13. (Previously Presented) An information processing apparatus according to claim 11, wherein:

the content information is content information of an internet site; and

the identification information is URL information of the internet site.

14. (Previously Presented) An information processing apparatus according to claim 11, wherein the broadcast receiving unit receives broadcast data via an antenna or a cable.

15. (Previously Presented) An information processing apparatus according to claim 11, wherein the history information includes information indicating a position of a pointer displayed together with the content information on the portable terminal.

16. (Original) An information processing apparatus according to claim 11, wherein:
the communication unit is an infrared-ray communication unit using an infrared ray; and
the control unit conducts control such that if the infrared-ray communication unit receives a general command to conduct infrared-ray communication conforming to an IrDA standard, the infrared-ray communication is started to transmit or to receive the identification information through the infrared-ray communication.

17. (Currently Amended) A content display system comprising a portable terminal and an information processing apparatus, wherein:

the portable terminal comprises;

a receiving unit which receives content information,

a first communication unit which conducts communication with the information processing apparatus,

a first display unit which displays the ~~first~~ content information received by the receiving unit,

an identification information acquiring unit which acquires identification information identifying the content information displayed on the first display unit,

an operation unit which receives an operation indication from a user,

a history information acquiring unit which acquires history information indicating a history of operations conducted by the user via the operation unit and having influenced upon the display on the display unit while the content information is being displayed by the first display unit;

a first control unit which conducts control such that if a transmission indication of the identification information is received by the operation unit while the content information is being displayed, the identification information acquired by the identification information acquiring unit and the history information acquired by the history information acquiring unit is transmitted to the information processing apparatus,

the information processing apparatus comprises:

a broadcast receiving unit which receives broadcast data,

a network communication unit which receives content information via a network,

a second communication unit which conducts communication with the portable terminal,

a second display unit which displays broadcast data received by the broadcast receiving unit or content information received by the network communication unit, and

a second control unit which conducts control such that if the second communication unit receives identification information and history information while the second display unit is displaying broadcast data received by the broadcast receiving unit, the network communication unit receives content information corresponding to the identification information to be displayed on the second display unit, and the second display unit displays the received content information in a state indicated by the history information in place of the broadcast data, the identification information identifies content information displayed on the portable terminal and the history information indicates a history of operations conducted while the content information is being displayed on the portable terminal,

the second control unit conducts control such that if the second communication unit receives an indication signal indicating termination of the display of the content information by the second display unit, the display of the content information is terminated and the display of broadcast data received by the broadcast receiving unit is resumed.

18 – 19. (Canceled)

20. (New) A content display system according to claim 17, wherein the content information is content information of an internet site; and the identification information is URL information of the Internet site.

21. (New) A content display system according to claim 17, wherein the history information includes information indicating a position of a pointer displayed together with the content information on the first display unit.

REMARKS

Claims 1-17, 20, and 21 are currently pending in this application. By this amendment, independent claims 1, 11, and 17 are amended. Support for the amendments is found, for example, at paragraph [0138] of U.S. Patent App. Pub. No. 2009/0081950 (the USPTO publication of the present application). No new matter has been added. Favorable reconsideration of the application in light of the following comments is respectfully solicited.

In section 2 of the Office Action, claims 1 and 4-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent App. Pub. No. 2005/0282582 (Slotznick) in view of U.S. Patent App. Pub. No. 2009/0030914 (Goto). In section 3 of the Office Action, claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slotznick in view of U.S. Patent App. Pub. No. 2004/0242304 (Walker). In section 4 of the Office Action, claims 2, 3, 17, 20, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slotznick in view of Goto and Walker. Applicants respectfully traverse.

Independent claims 1 and 17 each recite, *inter alia*,

a history information acquiring unit which acquires history information indicating a history of operations conducted by the user via the operation unit and having influenced upon the display on the display unit while the content information is being displayed by the display unit.

For example, a user may input various parameters via the operation unit, such as URL, sound volume, and character size, and the operation may be logged as history information. The recited “history of operations” is limited to “operations . . . having influenced upon the display on the display unit while the content information is being displayed by the display unit.”

Page 4, lines 15-20, of the Office Action concluded that Goto, paragraph [0047], disclosed the “history information acquiring unit” as previously presented in claim 1. However,

the “history information” described in Goto, paragraphs [0047]-[0048], is different from what is recited in claims 1 and 17. Goto’s “history information” is used to calculate the frequency of a specific user or user group using each term. It does not relate to the recited “operations . . . having influenced upon the display on the display unit while the content information is being displayed by the display unit.”

Additionally, independent claim 1 recites, *inter alia*, that “the history information acquired by the history information acquiring unit is transmitted to the external information device,” and independent claim 17 recites, *inter alia*, that “the history information acquired by the history information acquiring unit is transmitted to the information processing apparatus.” Such history information transmission makes it possible to switch the viewing terminal without inputting various parameters again (see, e.g., paragraphs [0152]-[0153] of U.S. Patent App. Pub. No. 2009/0081950 (the USPTO publication of the present application)).

Goto does not disclose or suggest transmitting the “history information” described in paragraphs [0047]-[0048] to an external device. Also, page 5 of the Office Action, which addresses the “control unit” as previously recited in claim 1, does not accurately present the limitations for the recited “control unit,” as it omits the recited transmission of the history information, accordingly, the Office Action does not demonstrate that the cited art renders obvious these limitations. Likewise, page 20 of the Office Action does not address the transmission of history information recited in claim 17, and accordingly does not demonstrate the cited art renders such limitations obvious.

For at least the above reasons, Goto does not disclose or make obvious the above limitations of independent claims 1 and 17. Slotznick and Walker, individually or in combination, do not bridge these gaps between Goto and the claims subject matter. Thus,

independent claims 1 and 17 are not obvious in view of the cited art. Accordingly, Applicants respectfully request withdrawal of the rejections of independent claims 1 and 17, and claims 2-10, 20, and 21 which depend thereon.

Independent claim 11 recites, *inter alia*,

the history information indicates a history of operations conducted and having influenced upon a display on the portable terminal while the content information is being displayed on the portable terminal.

The Office Action does not address, as previously presented in claim 11, the recited use of history information. For example, page 9 of the Office Action does not indicate in what manner Slotznick or Walker disclose or make obvious the recited use of history information. Instead, Applicants respectfully note that pages 3-4 of the Office Action, with respect to claim 1 as previously presented, expressly acknowledges that Slotznick does not disclose the use of history information as recited in claim 1. Applicants respectfully submit that Slotznick and Walker, individually or in combination, do not render obvious the use of history information recited in independent claim 11. Additionally, as discussed above with respect to claims 1 and 17, Goto does not bridge this gap between claim 11 and the cited art. Thus, Applicants respectfully request withdrawal of the rejection of independent claim 11 and claims 12-16 which depend thereon.

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

12/170,938

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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