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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY.DOCKET NO./TITLE	REQUEST ID
13/858,930	04/08/2013	Michael Phelan	PHELAN-1001CON1	187292

Acknowledgement of Loss of Entitlement to Micro Entity Status

The entity status change request below filed through Private PAIR on 04/10/2023 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

× Applicant asserting small entity status. See 37 CFR 1.27.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

This portion must be completed by the signatory or signatories making the entity status change in accordance with 37 CFR 1.4(d)(4).

Signature:	/Kermit Lopez/
Name:	Kermit Lopez
Registration Number:	41953



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APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	REQUEST ID
13/858,930	9045101	3663	103133

PAIR Correspondence Address/Fee Address Change

The following fields have been changed to Customer Number 64064 on 01/10/2020 via Private PAIR in view of the certification copied below that authorized the change.

- Maintenance Fee Address

The address for Customer Number 64064 is:

64064

Ortiz & Lopez, PLLC

P.O. BOX 4484

ALBUQUERQUE, NM 87196-4484

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

An attorney or Agent of Record registered to practice before the Patent and Trademark Office who has been given power of attorney in this application

Signature:	/Luis Ortiz/
Name:	Luis Ortiz
Registration Number:	36230



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The address for Customer Number 64064 is:

64064

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P.O. BOX 4484

ALBUQUERQUE, NM 87196-4484

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

An attorney or Agent of Record registered to practice before the Patent and Trademark Office who has been given power of attorney in this application

Signature:	/Luis Ortiz/
Name:	Luis Ortiz
Registration Number:	36230



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/858,930	04/08/2013	Michael Phelan	PHELAN-1001CON1

CONFIRMATION NO. 4464

POA ACCEPTANCE LETTER



141361
LOZA & LOZA, LLP
Kermit D. Lopez, Esq.
305 N. Second Avenue #127
Upland, CA 91786-6064

Date Mailed: 11/08/2018

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/05/2018.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/qtran/



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1

CONFIRMATION NO. 4464

POWER OF ATTORNEY NOTICE



OC000000103665282

64064
Ortiz & Lopez, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

Date Mailed: 11/08/2018

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/05/2018.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/qtran/

TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	13/858,930 Patent No. 9,045,101
Filing Date	April 8, 2013 Issue Date 06-02-2015
First Named Inventor	Michael Phelan
Title	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
Art Unit	3663
Examiner Name	Jonathan M. Dager
Attorney Docket Number	PHELAN-1001CON1

SIGNATURE of Applicant or Patent Practitioner

Signature	/Kermit D. Lopez/	Date (Optional)	
Name	Kermit D. Lopez	Registration Number	41953
Title (if Applicant is a juristic entity)	Attorney of Record		
Applicant Name (if Applicant is a juristic entity)	The Phelan Group, LLC		

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. 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 3 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Page 6 of 170

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

- ☒ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

141361

OR

- ☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

- ☒ The address associated with the above-mentioned Customer Number

OR

- ☐ The address associated with Customer Number:

OR

- ☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

The Phelan Group, LLC

- ☐ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Date (Optional)

29 OCTOBER 2018

Name

Michael Phelan

Title

President

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of forms are submitted.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)Applicant/Patent Owner: The Phelan Group, LLCApplication No./Patent No.: 13/858,930 | 9,045,101 Filed/Issue Date: 04-08-2013 | 06-02-2015Titled: DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGEThe Phelan Group, LLC, a limited liability orporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is ____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 046851, Frame 0608, or for which a copy thereof is attached.
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:
1. From: _____ To: _____
- The document was recorded in the United States Patent and Trademark Office at
- Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
- The document was recorded in the United States Patent and Trademark Office at
- Reel _____, Frame _____, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Page 8 of 170

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

STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).



As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Kermit D. Lopez

Printed or Typed Name

November 5, 2018

Date

41,953

Title or Registration Number

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.

Electronic Acknowledgement Receipt

EFS ID:	34214684
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Kermit Dean Lopez/Kathleen Smith
Filer Authorized By:	Kermit Dean Lopez
Attorney Docket Number:	1000-1796-C1
Receipt Date:	05-NOV-2018
Filing Date:	08-APR-2013
Time Stamp:	16:29:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	PHELAN-1001CON1_ExecutedP OA.pdf	944339 33ef0ef4b6beda4675643aea71698d43716c734c	no	2

Warnings:

Information:					
2	Assignee showing of ownership per 37 CFR 3.73	PHELAN-1001CON1_373c.pdf	104397	no	3
			16b901b2b9821db6a7c026037ab4beb8686c0873		
Warnings:					
Information:					
Total Files Size (in bytes):				1048736	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT5137112

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT	
CONVEYING PARTY DATA		
	Name	Execution Date
	MICHAEL D PHELAN	05/27/2016
RECEIVING PARTY DATA		
Name:	THE PHELAN GROUP, LLC	
Street Address:	851 CAMINO FRANCISCA	
City:	SANTA FE	
State/Country:	NEW MEXICO	
Postal Code:	87506	
PROPERTY NUMBERS Total: 6		
Property Type	Number	
Patent Number:	8417415	
Patent Number:	9045101	
Patent Number:	9493149	
Patent Number:	9908508	
Application Number:	15336110	
Application Number:	15898322	
CORRESPONDENCE DATA		
Fax Number:	(505)314-1307	
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	505-314-1311	
Email:	lortiz@olpatentlaw.com	
Correspondent Name:	LUIS M. ORTIZ	
Address Line 1:	117 BRYN MAWR DRIVE SE	
Address Line 4:	ALBUQUERQUE, NEW MEXICO 87106	
ATTORNEY DOCKET NUMBER:	1000-1796	
NAME OF SUBMITTER:	LUIS M. ORTIZ	
SIGNATURE:	/LUIS M ORTIZ/	
DATE SIGNED:	09/12/2018	
	This document serves as an Oath/Declaration (37 CFR 1.63).	

Mercedes EX1002
 Page 13 of 170

Total Attachments: 1

source=Assignment_MichaelPhelan#page1.tif

PATENT ASSIGNMENT

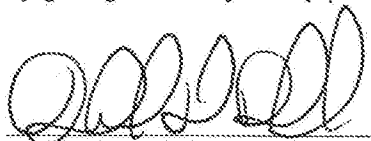
WHEREAS, I, Michael D. Phelan, citizen of the United States, have invented certain new and useful improvements in monitoring and controlling vehicle usage represented by issued patent nos. 8,417,415, 9,045,101, 9,493,149, 9,908,508, and pending patent application serial nos. 15/336,110 and 15/898,322, and from which additional continuation application will be filed.

Whereas, THE PHELAN GROUP, LLC, having its principal offices at 851 Camino Franciscas, Santa Fe, New Mexico USA 87506, is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor and therefrom;

Now, therefore, for good and valuable consideration to me paid by THE PHELAN GROUP, LLC, the receipt of which is hereby acknowledged, I have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto THE PHELAN GROUP, LLC, its successors and assigns, my entire right, title and interest in and to said invention represented by the issued patents and pending patent applications identified above, and any continuation applications that may issue therefrom, both foreign and domestic, including all of my rights under any and all international conventions, treaties and/or agreements concerning patents to which the United States is a party, and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above mentioned assignee in accordance herewith.

I further authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of any international convention, treaty and/or agreement.

I do hereby covenant and agree with the said assignee, its successors and assigns, that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I or my executors or administrators will at any time upon request, without further or additional consideration, but at the expense of the said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, continuation, divisional, reissued or extended Letters Patent of the United States, or any of and all foreign countries on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.



Michael D. Phelan

27 May 2016

Date



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
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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/858,930	06/02/2015	9045101	1000-1796-C1	4464

64064 7590 05/13/2015
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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 Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Michael Phelan, Santa Fe, NM;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the United States is the best location in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

Mercedes EX1002
Page 16 of 170

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

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.

64064

7590

03/20/2015

ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

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.
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1	4464

TITLE OF INVENTION: DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	MICRO	\$240	\$0	\$0	\$240	05/20/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
DAGER, JONATHAN M	3603	701-036000

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,
- (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.

1 Kevin Soules
2 Kermit D. Lopez
3 Luis M. Ortiz

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 credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature KERMIT D. LOPEZDate April 28, 2015Typed or printed name Kermit D. LopezRegistration No. 41,957 Mercedes EX1002

Electronic Patent Application Fee Transmittal

Application Number:	13858930			
Filing Date:	08-Apr-2013			
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE			
First Named Inventor/Applicant Name:	Michael Phelan			
Filer:	Kermit Dean Lopez/Kemlyn Evans			
Attorney Docket Number:	1000-1796-C1			
Filed as Micro Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Utility Issue Fee	3501	1	240	240
Publ. Fee- Early, Voluntary, or Normal	1504	1	0	0
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				240

Electronic Acknowledgement Receipt

EFS ID:	22189430
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Kermit Dean Lopez/Kemlyn Evans
Filer Authorized By:	Kermit Dean Lopez
Attorney Docket Number:	1000-1796-C1
Receipt Date:	28-APR-2015
Filing Date:	08-APR-2013
Time Stamp:	13:59:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 240
RAM confirmation Number	229
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment to follow.

Mercedes EX1002

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	1000-1796-C1_issue_fee_trans. pdf	466319	no	1
			10f51331444dfe36127ea20c098c3482e5f55ab9		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	32295	no	2
			14da4644fd99a63179ecc274c74ea9290660364f		
Warnings:					
Information:					
Total Files Size (in bytes):			498614		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

IFW

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

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)

64064 7590 02/20/2015
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484



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.

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):

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04/29/2015 INTEFSW 00000229 13058930

EXAMINER	ART UNIT	CLASS-SUBCLASS
DAGER, JONATHAN M	3663	701-036000

01 FC:3501

240.00 OP

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Authorized Signature /KERMIT D. LOPEZ/

Date April 28, 2015

Typed or printed name Kermit D. Lopez

Registration No. 41,953



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/858,930	04/08/2013	3663	435	1000-1796-C1	20	3

CONFIRMATION NO. 4464

CORRECTED FILING RECEIPT

64064

ORTIZ & LOPEZ, PLLC

P.O. BOX 4484

ALBUQUERQUE, NM 87196-4484



Date Mailed: 03/23/2015

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Michael Phelan, Santa Fe, NM;

Applicant(s)

Michael Phelan, Santa Fe, NM;

Power of Attorney: The patent practitioners associated with Customer Number 64064

Domestic Priority data as claimed by applicant

This application is a CON of 12/496,509 07/01/2009 PAT 8417415
which claims benefit of 61/077,568 07/02/2008

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 05/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/858,930**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** MICRO ENTITY ****

Title

DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING
VEHICLE USAGE

Preliminary Class

701

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

64064 7590 02/20/2015
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

EXAMINER

DAGER, JONATHAN M

ART UNIT

PAPER NUMBER

3663

DATE MAILED: 02/20/2015

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

13/858,930

04/08/2013

Michael Phelan

1000-1796-C1

4464

TITLE OF INVENTION: DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE

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nonprovisional	MICRO	\$240	\$0	\$0	\$240	05/20/2015

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:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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.

Mercedes EX1002

Page 26 of 170

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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Alexandria, Virginia 22313-1450
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(Depositor's name)
(Signature)
(Date)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1	4464

64064	7590	02/20/2015
ORTIZ & LOPEZ, PLLC P.O. BOX 4484 ALBUQUERQUE, NM 87196-4484		

EXAMINER	
DAGER, JONATHAN M	

ART UNIT	PAPER NUMBER
3663	

DATE MAILED: 02/20/2015

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

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

Mercedes EX1002
Page 28 of 170

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B 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. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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. 13/858,930	Applicant(s) PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER	Art Unit 3663	AIA (First Inventor to File) Status Yes

-- 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 amendments filed 22 January 2015.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
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 1-20. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- 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. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ 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).
6. ☐ 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)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | |

/JONATHAN M DAGER/
Primary Examiner, Art Unit 3663

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Response to Arguments

1. Applicant's contention (see section I, filed 22 January 2015) with respect to the rejection of claim 10 under 35 U.S.C. 112, 2nd paragraph has been fully considered and is persuasive in view of amendments presented. Therefore, the rejection of claim 10 under 35 U.S.C. 112, 2nd paragraph has been withdrawn.

Claims Allowable - Reasons for Allowance

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

Independent claims 1, 11, and 15 are allowable over all prior art cited. The novelty of the claims lies in the driver identification means combined with the unique and nonobvious way alerts can be generated when the identified driver violates the operating profile associated with said driver.

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

Art Unit: 3663

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN M. DAGER whose telephone number is (571)270-1332. The examiner can normally be reached on 0830-1800 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Thomas Tarcza can be reached at 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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.

/JONATHAN M DAGER/
Primary Examiner, Art Unit 3663
30 January 2015

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 1 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,481,253 A	01-1996	Phelan et al.	340/5.67
*	B	US-2002/0049538 A1	04-2002	Knapton et al.	701/216
*	C	US-6,430,488 B1	08-2002	Goldman et al.	701/36
*	D	US-6,741,920 B1	05-2004	Otto, Richard E.	701/49
*	E	US-2004/0225557 A1	11-2004	Phelan et al.	705/011
*	F	US-2005/0137757 A1	06-2005	Phelan et al.	701/001
*	G	US-2005/0182538 A1	08-2005	Phelan et al.	701/035
*	H	US-2006/0047419 A1	03-2006	Diendorf et al.	701/208
*	I	US-2006/0111817 A1	05-2006	Phelan et al.	701/001
*	J	US-2006/0106515 A1	05-2006	Phelan et al.	701/035
*	K	US-2006/0122749 A1	06-2006	Phelan et al.	701/035
*	L	US-2006/0212195 A1	09-2006	Veith et al.	701/035
*	M	US-2006/0200008 A1	09-2006	Moore-Ede, Martin	600/300

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 2 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0082706 A1	04-2007	Campbell et al.	455/563
*	B	US-2007/0158128 A1	07-2007	Gratz et al.	180/287
*	C	US-2008/0245598 A1	10-2008	Gratz et al.	180/287
*	D	US-2008/0319602 A1	12-2008	McClellan et al.	701/33
*	E	US-2009/0024273 A1	01-2009	Follmer et al.	701/35
*	F	US-2009/0027177 A1	01-2009	Hodder, David John	340/426.12
*	G	US-2009/0030770 A1	01-2009	Hersh et al.	705/9
*	H	US-2009/0079555 A1	03-2009	Aguirre De Carcer et al.	340/441
*	I	US-2009/0069954 A1	03-2009	ALADESUYI, Kayode	701/2
*	J	US-2009/0189736 A1	07-2009	Hayashi, Hitoshi	340/5.81
*	K	US-2010/0004818 A1	01-2010	Phelan, Michael	701/35
*	L	US-7,956,730 B2	06-2011	White et al.	340/426.2
*	M	US-8,258,939 B2	09-2012	Miller et al.	340/457.1

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

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	U	
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	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 3 of 3

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-8,463,488 B1	06-2013	Hart, Paul	701/32.3
*	B	US-8,751,104 B2	06-2014	Hermann et al.	701/36
*	C	US-8,751,105 B2	06-2014	Whelan et al.	701/36
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			


FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	S					
	T					

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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
ASSIGNEE	5/16/2014	JD
INVENTOR	5/16/2014	JD
KEYWORD	5/16/2014	JD
CITATION OF BEST PRIOR ART	5/16/2014	JD
ASSIGNEE	8/29/2014	JD
INVENTOR	8/29/2014	JD
KEYWORD	8/29/2014	JD
CITATION OF BEST PRIOR ART	8/29/2014	JD
ASSIGNEE	1/30/2015	JD
INVENTOR	1/30/2015	JD
KEYWORD	1/30/2015	JD
CITATION OF BEST PRIOR ART	1/30/2015	JD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
G06F	19/10	1/30/2015	JD

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	20	phelan.in. and (unique with code) and driver	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2015/01/30 11:50
S1	43505	340/988-996,425\$3-490.ccls. or 701/1,2,19-49,70,93,200-216,300.ccls. or phelan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:28
S2	7394	S1 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:29
S3	1220	S2 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S4	883	S3 and (((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S5	57	S3 and (((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:31
S6	13	S5 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:32
S7	619575	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S8	115297	S7 and ((user or driver or operator) with (file or profile))	US-PGPUB;	OR	ON	2011/09/30 14:40

			USPAT; FPRS; EPO; JPO; DERWENT			
S9	82875	S8 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S10	8210	S8 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S11	586	S10 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S12	222	S11 and gps	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:42
S13	27	S12 and (vehicle with terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:44
S14	1	("2007/0158128").URPN.	USPAT	OR	ON	2011/09/30 14:48
S15	0	("2008/0245598").URPN.	USPAT	OR	ON	2011/09/30 14:48
S16	10	"196509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S17	8	"496509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S18	0	("2010/0004818").URPN.	USPAT	OR	ON	2011/10/03 09:51
S19	11	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$).did.	US- PGPUB	OR	ON	2011/10/03 09:56

S20	0	S19 and rfid	US-PGPUB	OR	ON	2011/10/03 09:56
S21	1	S19 and fob	US-PGPUB	OR	ON	2011/10/03 09:56
S22	0	S16 and rfid	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S23	619817	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S24	115299	S23 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S25	8210	S24 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S26	586	S25 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S27	222	S26 and gps	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S28	66	S27 and rfid	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:58
S29	9	S28 and (fob or keyfob or "key fob")	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:02
S30	25	S27 and (fob or keyfob or "key fob")	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:03
S31	1024	irke	US-PGPUB;	OR	ON	2011/10/03 10:04

			USPAT; FPRS; EPO; JPO; DERWENT			
S32	535	S31 and (authenticat\$4 or identif\$)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:05
S33	170	S31 and ((authenticat\$4 or identif\$) with (user or driver))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:05
S34	62	S31 and (((authenticat\$4 or identif\$) with (user or driver)) same (fob or keyfob or transciever or key-fob or smart))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S35	61	S34 and vehicle	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S36	2	S34 and ((user or driver or operator) with (file or profile))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S37	1	"12496509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/03/05 13:32
S38	12	(US-20090079555-\$ or US- 20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US- 20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US- 20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US- 20060200008-\$ or US-20070082706-\$).did.	US- PGPUB	OR	OFF	2012/03/05 16:28
S39	9	S38 and (fault\$4 or error or malfunction or breakdown or accident)	US- PGPUB	OR	OFF	2012/03/05 16:28
S40	12	(US-20090079555-\$ or US- 20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US- 20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US- 20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US- 20060200008-\$ or US-20070082706-\$).did.	US- PGPUB	OR	OFF	2012/03/05 17:03

S41	9	S40 and (fault\$4 or error or malfunction or breakdown or accident)	US-PGPUB	OR	OFF	2012/03/05 17:03
S42	10	("2006/0212195").URPN.	USPAT	OR	OFF	2012/03/05 17:12
S43	1318	phelan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:14
S44	163	S43 and vehicle	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:15
S45	46	S44 and ((authentica\$4 or identif\$) with (user or driver))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S46	13	S45 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S47	41	("20010033225" "20020022920" "20020049538" "20020111735" "20020123834" "20020178033" "20030195694" "20030216857" "20040083041" "20040153362" "4007438" "5797134" "5819198" "6064970" "6067489" "6438472" "6473000" "6636790" "6771176").PN. OR ("6931309").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2012/03/05 17:17
S48	19	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US-20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US-20050137757-\$ or US-20040225557-\$ or US-20020049538-\$).did.	US-PGPUB	OR	OFF	2012/09/25 14:46
S49	1	"12496509"	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 14:48
S50	11	S48 and (radio or audio or stereo)	US-PGPUB	OR	OFF	2012/09/25 15:01
S51	5235	vehicle same parent\$4 same control\$4	US-PGPUB;	OR	OFF	2012/09/25 15:06


			USPAT; USOCR; EPO; JPO; DERWENT			
S52	46	S51 and ((disabl\$4 or prevent\$4 or prohibit\$4 or ((power\$4 or turn\$4) with (off or down))) with (radio or stereo))	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:07
S53	51	S51 and ((disabl\$4 or prevent\$4 or restrict\$4 or prohibit\$4 or ((power\$4 or turn\$4) with (off or down))) with (radio or stereo))	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:08
S54	118	("4477874" "4707788" "4835970" "5091856" "5124920" "5247440" "5289369" "5303163" "5379219" "5446659" "5504482" "5513107" "5532690" "5581464" "5608629" "5680328" "5812070" "5877707" "5938716" "5948026" "5969598" "6006148" "6076026" "6122580" "6173231" "6232874" "6256565" "6275231" "6278928").PN. OR ("6430488").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:14
S55	82	S54 and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S56	1014581	"9" and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S57	27	S55 and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S58	1012	phelan.in.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S59	131	phelan.in. and vehicle	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S60	49	phelan.in. and vehicle and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S61	46	phelan.in. and vehicle and radio and identif\$	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S62	46	phelan.in. and vehicle and radio and (identif\$\$4 or identification)	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S63	46	phelan.in. and vehicle and radio and	US-	OR	OFF	2012/09/25 15:19

Mercedes EX1002



		(identif\$4 or identification)	PGPUB; USPAT; USOCR			15:19
S64	1	S63 and authentication	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S65	76	("3059070" "3187334" "3520161" "3644745" "3651464" "3660624" "3757305" "3796889" "3870895" "4148372" "4150731" "4222034" "4296402" "4335370" "4347545" "4379966" "4390758" "4436993" "4438426" "4533016" "4555619" "4565922" "4578573" "4645939" "4659915" "4682062" "4686358" "4733638" "4842093" "4965460" "4993627" "5006843" "5079435" "5109221").PN. OR ("5481253").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:21
S66	1	S65 and (radio same (alert\$4 or alarm\$4))	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:22
S67	25	(US-20090079555-\$ or US- 20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US- 20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US- 20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US- 20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US- 20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US- 20050137757-\$ or US-20040225557-\$ or US-20020049538-\$ or US- 20090027177-\$).did. or (US-6430488-\$ or US-8258939-\$ or US-7956730-\$ or US-6741920-\$ or US-5481253-\$).did.	US- PGPUB; USPAT	OR	OFF	2012/09/25 19:46
S68	36	PHELAN.IN. and ("307" or "180" or "701" or "340" or "180").clas.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:22
S69	8	S68 and gps and profile	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:23
S70	1	"12196509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:09
S71	213	phelan.in. and unique	US- PGPUB; USPAT; FPRS;	OR	ON	2014/05/15 19:09

			EPO; JPO; DERWENT			
S72	29	phelan.in. and (unique with code)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:10
S73	15	phelan.in. and (unique with code) and driver	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:10
S74	2	"6633800".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/20 11:59
S75	2	"20060224280"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/20 12:00
S76	0	"13858930"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/29 10:46
S77	2	"12496509"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/29 10:56
S78	16	phelan.in. and (unique with code) and driver	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/08/29 12:32
S79	5	("2010/0004818").URPN.	USPAT	OR	ON	2014/08/29 12:32


1/ 30/ 2015 11:51:44 AM
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Issue Classification 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

CPC						
Symbol					Type	Version
B60R		25	/	00	F	2013-01-01
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CPC Combination Sets				
Symbol	Type	Set	Ranking	Version
				
				

NONE		Total Claims Allowed: 20	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/J.M.D./ Primary Examiner.Art Unit 3663	01/30/2015	Mercedes EX1002	
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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NONE		Total Claims Allowed: 20	
(Assistant Examiner)	(Date)		
/J.M.D./	01/30/2015	O.G. Print Claim(s)	O.G. Print Figure
Primary Examiner.Art Unit 3663	(Date)	Mercedes EX1002	

<i>Index of Claims</i> 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	05/16/2014	08/29/2014	01/30/2015					
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	2	✓	=	=					
	3	✓	=	=					
	4	✓	=	=					
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	18	✓	=	=					
	19	✓	=	=					
	20	✓	=	=					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Michael Phelan **EXAMINER:** Jonathan Dager
SERIAL NO.: 13/858,930 **GROUP:** 3663
FILED: 04/08/2013 **ATTY DKT NO.:** 1000-1796-C1
TITLE: **DRIVER AUTHENTICATION SYSTEM AND METHOD FOR
MONITORING AND CONTROLLING VEHICLE USAGE**

Please forward all correspondence to:

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Patent Attorneys
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Albuquerque, NM 87196-4484

Mailstop None Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENTS, REPLY TO NON-FINAL OFFICE ACTION
AND
REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111**

Dear Examiner:

In response to the Non-Final Office Action dated October 28, 2014 in the above captioned matter, please enter the following amendments and remarks:

Amendments to the claims begin on Page 2 of this Paper.

Remarks begin on Page 7 of this Paper.

CLAIM AMENDMENTS

Please amend claim 10 as follows:

1. (Previously Presented) A driver authentication and monitoring system, comprising:

a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and data logging device wherein master control unit receives a unique identification code to permit said at least one driver to operate said vehicle within an operating profile; and

a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate at least one of an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage and govern mechanical operations of said vehicle remotely thereby maintaining occupant safety.

2. (Original) The driver authentication and monitoring system of claim 1, further comprising a database comprising a program module including at least one operating parameter associated with a vehicle, said program module remotely accessible by an authorized user to program an operating profile with respect to at least one driver, said program module accessed by said authorized user via a network utilizing a remote computer.

3. (Original) The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device in conjunction with a remote computer load said operating profile for said at least one driver.

4. (Original) The driver authentication and monitoring system of claim 1, further comprising:

a driver identification and validation module; a GPS antenna processing module; a memory module; and a function indicator module.

5. (Original) The driver authentication and monitoring system of claim 4, wherein said operating profile is loaded into said memory module for enabling operation of said vehicle when said at least one driver is authenticated.

6. (Original) The driver authentication and monitoring system of claim 4, wherein said GPS antenna processing module provides location information in association with said vehicle.

7. (Original) The driver authentication and monitoring system of claim 1, wherein said slave control unit further comprises a power regulator module; a starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

8. (Original) The driver authentication and monitoring system of claim 1, wherein said at least one operating parameter comprises at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

9. (Original) The driver authentication and monitoring system of claim 1, wherein said slave control unit generates an alarm signal for alerting said authorized user when said at least one driver violates said operating profile.

10. (Currently Amended) The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device comprises one of:

a radio frequency identification device; and
~~an iButton device; and~~
a USB compatible device.

11. (Previously Presented) A driver authentication and monitoring system, comprising:

a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and associating an operating profile with said at least one driver;

a GPS module providing at least location and speed information in association with movement of said motor vehicle;

a data logging device recording vehicle operation data associated with use of said motor vehicle by said at least one driver including location and speed information from said GPS module; and

a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage and govern mechanical operations of said vehicle remotely thereby maintaining occupant safety;

wherein master control unit permits said at least one driver to operate said vehicle within an operating profile if said master control unit receives at least one of a unique identification code to permit said at least one driver to operate said vehicle within an operating profile and said at least one driver has not violated said operating profile.

12. (Original) The driver authentication and monitoring system of claim 11, wherein said slave control unit further comprises a power regulator module; a

starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

13. (Original) The driver authentication and monitoring system of claim 11, wherein said operating profile comprises at least one operating parameter including at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

14. (Original) The driver authentication and monitoring system of claim 11 wherein said slave control unit generates an alarm signal for remotely alerting said authorized user when said at least one driver violates said operating profile.

15. (Previously Presented) A method of authenticating and monitoring drivers, comprising:

- providing a motor vehicle with a driver authentication and monitoring system;

- programming said driver authentication and monitoring system with an operating profile associated with a high risk driver;

- authenticating said high risk driver and enable operation of said motor vehicle within said operating profile by monitoring operation of said motor vehicle to determine if said high profile driver is violating said operating profile;

- generating an alarm signal if said high profile driver violates said operating profile while operating said motor vehicle; and

- governing mechanical operations of said vehicle remotely if said high profile driver violates said operating profile thereby maintaining occupant safety.

16. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said motor vehicle includes a GPS module and said monitoring operation of

said motor vehicle further comprises obtaining GPS data including motor vehicle speed and location.

17. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

18. (Original) The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

19. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

20. (Original) The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

REMARKS

I. Claim Rejections - 35 USC 112

In the Final Office Action dated October 28, 2014, the Examiner rejected claim 10 under 35 USC 112(b) or 35 USC 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for the pre-AIA, the Applicant regards as the invention.

The Examiner indicated that claim 10 as amended contains the trademark/trade name "iButton". The Examiner noted that where a trademark or trade name is used in a claim as a limitation to describe a particular material or product, the claim does not comply with the requirements of 35 USC 112, second paragraph. The Examiner asserted that the claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. The Examiner noted that a trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, the Examiner indicated that a trademark or trade name does not identify or describe the goods associated with the trademark or trade name.

The Applicant has therefore amended claim 10 herein to remove the term "iButton" from the claim. The Applicant notes, however, that Applicant's specification indicates that in paragraph [0039] that "The driver identification and data logging device 425 can be a USB compatible device such as for example, iButton, radio frequency identification device (RFID), etc that can be utilized in conjunction with the remote computer 465 in order to load the operating profile 235 into the master control unit 430." In other words, Applicant's specification teaches that an iButton (device) is a type of USB compatible device. Thus, the USB compatible device claimed in claim 10 includes (but is not limited to) an iButton type device.

II. Conclusion

Applicant thanks the Examiner for the careful consideration of the claims. Applicant has amended the claims and believes that the claims as amended are in proper form for allowance. Applicant respectfully requests prompt issuance of a notice of allowance.

Respectfully submitted,

/Kermit D. Lopez/

Dated: January 22, 2015

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Attorney for Applicants
Registration No. 41,953
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P.O. Box 4484
Albuquerque, NM 87196-4484
Tel. (505) 314-1310

Electronic Acknowledgement Receipt

EFS ID:	21282272
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Kermit Dean Lopez/Kemlyn Evans
Filer Authorized By:	Kermit Dean Lopez
Attorney Docket Number:	1000-1796-C1
Receipt Date:	22-JAN-2015
Filing Date:	08-APR-2013
Time Stamp:	16:29:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	1796C1_Amend_Jan_2015.pdf	39026 c5c43a74948eab4d9a208886c9c40dcc83b08a7b	no	8

Warnings:

Information:

Mercedes EX1002
Page 57 of 170

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1	4464
64064	7590	10/28/2014	EXAMINER	
ORTIZ & LOPEZ, PLLC P.O. BOX 4484 ALBUQUERQUE, NM 87196-4484			DAGER, JONATHAN M	
			ART UNIT	PAPER NUMBER
			3663	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2014	ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@olpatentlaw.com

Office Action Summary

Application No.
13/858,930

Applicant(s)
PHELAN, MICHAEL

Examiner
JONATHAN M. DAGER

Art Unit
3663

AIA (First Inventor to File)
Status
Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ 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.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1-20 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) ☒ Claim(s) 1-9 and 11-20 is/are allowed.
- 7) ☒ Claim(s) 10 is/are rejected.
- 8) ☐ Claim(s) _____ is/are objected to.
- 9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 08 april 2013 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ 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)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date _____.

- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 4) ☐ Other: _____.

Mercedes EX1002

Page 60 of 170

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Response to Arguments

1. Applicant's contention (see section I filed 27 August 2014) with respect to priority benefit of application 12/496,509 has been found persuasive. Said application cannot be used as prior art, and the prior rejection to the claims under 35 U.S.C. 102(a)(1) is hereby withdrawn
2. Applicant's contention (see section II filed 27 August 2014) with respect to the double patenting rejection of claims 1-14 has been fully considered and is persuasive (see Terminal Disclaimer filed 27 August 2014). Therefore, the double patenting rejection of claims 1-14 has been withdrawn.

However, upon further consideration, new grounds of rejection are warranted (see below).

Claim Rejections - 35 USC § 112

3. The following is a quotation of 35 U.S.C. 112(b):
(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3663

Claim 10 is rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

Claim 10 contains the trademark/trade name “iButton”. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name.

Allowable Subject Matter

4. Claims 1-9, 11-20 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN M. DAGER whose telephone number is (571)270-1332. The examiner can normally be reached on 0830-1800 (M-F).

Art Unit: 3663

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Thomas Tarcza can be reached at 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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.

/JONATHAN M DAGER/
Primary Examiner, Art Unit 3663
23 October 2014

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,481,253 A	01-1996	Phelan et al.	340/5.67
*	B	US-2002/0049538 A1	04-2002	Knapton et al.	701/216
*	C	US-6,430,488 B1	08-2002	Goldman et al.	701/36
*	D	US-6,741,920 B1	05-2004	Otto, Richard E.	701/49
*	E	US-2004/0225557 A1	11-2004	Phelan et al.	705/011
*	F	US-2005/0137757 A1	06-2005	Phelan et al.	701/001
*	G	US-2005/0182538 A1	08-2005	Phelan et al.	701/035
*	H	US-2006/0047419 A1	03-2006	Diendorf et al.	701/208
*	I	US-2006/0111817 A1	05-2006	Phelan et al.	701/001
*	J	US-2006/0106515 A1	05-2006	Phelan et al.	701/035
*	K	US-2006/0122749 A1	06-2006	Phelan et al.	701/035
*	L	US-2006/0212195 A1	09-2006	Veith et al.	701/035
*	M	US-2006/0200008 A1	09-2006	Moore-Ede, Martin	600/300

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0082706 A1	04-2007	Campbell et al.	455/563
*	B	US-2007/0158128 A1	07-2007	Gratz et al.	180/287
*	C	US-2008/0245598 A1	10-2008	Gratz et al.	180/287
*	D	US-2008/0319602 A1	12-2008	McClellan et al.	701/33
*	E	US-2009/0024273 A1	01-2009	Follmer et al.	701/35
*	F	US-2009/0027177 A1	01-2009	Hodder, David John	340/426.12
*	G	US-2009/0030770 A1	01-2009	Hersh et al.	705/9
*	H	US-2009/0079555 A1	03-2009	Aguirre De Carcer et al.	340/441
*	I	US-2009/0069954 A1	03-2009	ALADESUYI, Kayode	701/2
*	J	US-2009/0189736 A1	07-2009	Hayashi, Hitoshi	340/5.81
*	K	US-2010/0004818 A1	01-2010	Phelan, Michael	701/35
*	L	US-7,956,730 B2	06-2011	White et al.	340/426.2
*	M	US-8,258,939 B2	09-2012	Miller et al.	340/457.1

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS


*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<i>Index of Claims</i> 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant				<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
CLAIM		DATE							
Final	Original	05/16/2014	08/29/2014						
	1	✓	=						
	2	✓	=						
	3	✓	=						
	4	✓	=						
	5	✓	=						
	6	✓	=						
	7	✓	=						
	8	✓	=						
	9	✓	=						
	10	✓	✓						
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	12	✓	=						
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	15	✓	=						
	16	✓	=						
	17	✓	=						
	18	✓	=						
	19	✓	=						
	20	✓	=						

Search Notes 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
ASSIGNEE	5/16/2014	JD
INVENTOR	5/16/2014	JD
KEYWORD	5/16/2014	JD
CITATION OF BEST PRIOR ART	5/16/2014	JD
ASSIGNEE	8/29/2014	JD
INVENTOR	8/29/2014	JD
KEYWORD	8/29/2014	JD
CITATION OF BEST PRIOR ART	8/29/2014	JD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	43505	340/988-996,425\$3-490.ccls. or 701/1,2,19-49,70,93,200-216,300.ccls. or phelan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:28
S2	7394	S1 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:29
S3	1220	S2 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S4	883	S3 and ((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S5	57	S3 and (((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:31
S6	13	S5 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:32
S7	619575	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S8	115297	S7 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S9	82875	S8 and ((user or driver or operator) with (pin or authentikat\$4 or biometric	US-PGPUB;	OR	ON	2011/09/30 14:40

		or keyword or password or code or identify\$4 or identification))	USPAT; FPRS; EPO; JPO; DERWENT			
S10	8210	S8 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S11	586	S10 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S12	222	S11 and gps	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:42
S13	27	S12 and (vehicle with terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:44
S14	1	("2007/0158128").URPN.	USPAT	OR	ON	2011/09/30 14:48
S15	0	("2008/0245598").URPN.	USPAT	OR	ON	2011/09/30 14:48
S16	10	"196509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S17	8	"496509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S18	0	("2010/0004818").URPN.	USPAT	OR	ON	2011/10/03 09:51
S19	11	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$).did.	US- PGPUB	OR	ON	2011/10/03 09:56
S20	0	S19 and rfid	US- PGPUB	OR	ON	2011/10/03 09:56
S21	1	S19 and fob	US- PGPUB	OR	ON	2011/10/03 09:56
S22	0	S16 and rfid	US-	OR	ON	2011/10/03

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S23	619817	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S24	115299	S23 and ((user or driver or operator) with (file or profile))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S25	8210	S24 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S26	586	S25 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S27	222	S26 and gps	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S28	66	S27 and rfid	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:58
S29	9	S28 and (fob or keyfob or "key fob")	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:02
S30	25	S27 and (fob or keyfob or "key fob")	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:03
S31	1024	rke	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:04
S32	535	S31 and (authenticat\$4 or identif\$)	US-	OR	ON	2011/10/03

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S33	170	S31 and ((authenticat\$4 or identif\$) with (user or driver))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:05
S34	62	S31 and (((authenticat\$4 or identif\$) with (user or driver)) same (fob or keyfob or transciever or key-fob or smart))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S35	61	S34 and vehicle	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S36	2	S34 and ((user or driver or operator) with (file or profile))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S37	1	"12496509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/03/05 13:32
S38	12	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$).did.	US- PGPUB	OR	OFF	2012/03/05 16:28
S39	9	S38 and (fault\$4 or error or malfunction or breakdown or accident)	US- PGPUB	OR	OFF	2012/03/05 16:28
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S41	9	S40 and (fault\$4 or error or malfunction or breakdown or accident)	US- PGPUB	OR	OFF	2012/03/05 17:03
S42	10	("2006/0212195").URPN.	USPAT	OR	OFF	2012/03/05
S43	1318	phelan.in.	US-	OR	ON	2012/03/05

			PGPUB; USPAT; FPRS; EPO; JPO; DERWENT			17:14
S44	163	S43 and vehicle	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:15
S45	46	S44 and ((authentica\$4 or identif\$) with (user or driver))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S46	13	S45 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S47	41	("20010033225" "20020022920" "20020049538" "20020111735" "20020123834" "20020178033" "20030195694" "20030216857" "20040083041" "20040153362" "4007438" "5797134" "5819198" "6064970" "6067489" "6438472" "6473000" "6636790" "6771176").PN. OR ("6931309").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/03/05 17:17
S48	19	(US-20090079555-\$ or US- 20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US- 20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US- 20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US- 20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US- 20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US- 20050137757-\$ or US-20040225557-\$ or US-20020049538-\$).did.	US- PGPUB	OR	OFF	2012/09/25 14:46
S49	1	"12496509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 14:48
S50	11	S48 and (radio or audio or stereo)	US- PGPUB	OR	OFF	2012/09/25 15:01
S51	5235	vehicle same parent\$4 same control\$4	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:06
S52	46	S51 and ((disabl\$4 or prevent\$4 or prohibit\$4 or ((power\$4 or turn\$4) with	US- PGPUB;	OR	OFF	2012/09/25

		(off or down))) with (radio or stereo))	USPAT; USOCR; EPO; JPO; DERWENT			
S53	51	S51 and ((disabl\$4 or prevent\$4 or restrict\$4 or prohibit\$4 or ((power\$4 or turn\$4) with (off or down))) with (radio or stereo))	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:08
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S55	82	S54 and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S56	1014581	"9" and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S57	27	S55 and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S58	1012	phelan.in.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S59	131	phelan.in. and vehicle	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S60	49	phelan.in. and vehicle and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S61	46	phelan.in. and vehicle and radio and identif\$	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S62	46	phelan.in. and vehicle and radio and (identif\$4 or identification)	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S63	46	phelan.in. and vehicle and radio and (identif\$4 or identification)	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S64	1	S63 and authentication	US- PGPUB; USPAT;	OR	OFF	2012/09/25 15:19

			USOCR			
S65	76	("3059070" "3187334" "3520161" "3644745" "3651464" "3660624" "3757305" "3796889" "3870895" "4148372" "4150731" "4222034" "4296402" "4335370" "4347545" "4379966" "4390758" "4436993" "4438426" "4533016" "4555619" "4565922" "4578573" "4645939" "4659915" "4682062" "4686358" "4733638" "4842093" "4965460" "4993627" "5006843" "5079435" "5109221").PN. OR ("5481253").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:21
S66	1	S65 and (radio same (alert\$4 or alarm\$4))	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:22
S67	25	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US-20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US-20050137757-\$ or US-20040225557-\$ or US-20020049538-\$ or US-20090027177-\$).did. or (US-6430488-\$ or US-8258939-\$ or US-7956730-\$ or US-6741920-\$ or US-5481253-\$).did.	US- PGPUB; USPAT	OR	OFF	2012/09/25 19:46
S68	36	PHELAN.IN. and ("307" or "180" or "701" or "340" or "180").clas.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:22
S69	8	S68 and gps and profile	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:23
S70	1	"12196509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:09
S71	213	phelan.in. and unique	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:09
S72	29	phelan.in. and (unique with code)	US- PGPUB; USPAT; FPRS;	OR	ON	2014/05/15 19:10

			EPO; JPO; DERWENT			
S73	15	phelan.in. and (unique with code) and driver	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:10
S74	2	"6633800".pn.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/20 11:59
S75	2	"20060224280"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/20 12:00
S76	0	"13858930"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/29 10:46
S77	2	"12496509"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/29 10:56
S78	16	phelan.in. and (unique with code) and driver	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/08/29 12:32
S79	5	("2010/0004818").URPN.	USPAT	OR	ON	2014/08/29 12:32

10/ 23/ 2014 11:57:30 AM
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1

CONFIRMATION NO. 4464

PUBLICATION NOTICE



OC000000071267326

64064
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

Title: DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE

Publication No. US-2014-0303836-A1

Publication Date: 10/09/2014

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.


The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

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Application Number 	Application/Control No. 13/858,930	Applicant(s)/Patent under Reexamination PHELAN, MICHAEL	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : 08/27/2014	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Dorethea Lawrence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Michael Phelan **EXAMINER:** Jonathan Dager
SERIAL NO.: 13/858,930 **GROUP:** 3663
FILED: 04/08/2013 **ATTY DKT NO.:** 1000-1796-C1
TITLE: **DRIVER AUTHENTICATION SYSTEM AND METHOD FOR
MONITORING AND CONTROLLING VEHICLE USAGE**

Please forward all correspondence to:

ORTIZ & LOPEZ, PLLC
Patent Attorneys
P.O. Box 4484
Albuquerque, NM 87196-4484

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P.O. Box 1450
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**AMENDMENTS, REPLY AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111**

Dear Examiner:

In response to the Non-Final Office Action dated May 27, 2014 in the above captioned matter, please enter the following amendments and remarks:

Amendments to the claims begin on Page 2 of this Paper.

Remarks begin on Page 6 of this Paper.

CLAIM AMENDMENTS

Please amend the claims 1, 10, 11, and 15 as follows:

1. (Currently Amended) A driver authentication and monitoring system, comprising:

a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and data logging device wherein master control unit receives a unique identification code to permit said at least one driver to operate said vehicle within an operating profile; and

a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate at least one of an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage and govern mechanical operations of said vehicle remotely thereby maintaining occupant safety.

2. (Original) The driver authentication and monitoring system of claim 1, further comprising a database comprising a program module including at least one operating parameter associated with a vehicle, said program module remotely accessible by an authorized user to program an operating profile with respect to at least one driver, said program module accessed by said authorized user via a network utilizing a remote computer.

3. (Original) The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device in conjunction with a remote computer load said operating profile for said at least one driver.

4. (Original) The driver authentication and monitoring system of claim 1, further comprising:

a driver identification and validation module; a GPS antenna processing module; a memory module; and a function indicator module.

5. (Original) The driver authentication and monitoring system of claim 4, wherein said operating profile is loaded into said memory module for enabling operation of said vehicle when said at least one driver is authenticated.

6. (Original) The driver authentication and monitoring system of claim 4, wherein said GPS antenna processing module provides location information in association with said vehicle.

7. (Original) The driver authentication and monitoring system of claim 1, wherein said slave control unit further comprises a power regulator module; a starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

8. (Original) The driver authentication and monitoring system of claim 1, wherein said at least one operating parameter comprises at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

9. (Original) The driver authentication and monitoring system of claim 1, wherein said slave control unit generates an alarm signal for alerting said authorized user when said at least one driver violates said operating profile.

10. (Currently Amended) The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device comprises one of:

a radio frequency identification device;
an iButton device; and
a USB compatible device.

11. (Currently Amended) A driver authentication and monitoring system, comprising:

a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and associating an operating profile with said at least one driver;

a GPS module providing at least location and speed information in association with movement of said motor vehicle;

a data logging device recording vehicle operation data associated with use of said motor vehicle by said at least one driver including location and speed information from said GPS module; and

a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage and govern mechanical operations of said vehicle remotely thereby maintaining occupant safety;

wherein master control unit permits said at least one driver to operate said vehicle within an operating profile if said master control unit receives at least one of a unique identification code to permit said at least one driver to operate said vehicle within an operating profile and said at least one driver has not violated said operating profile.

12. (Original) The driver authentication and monitoring system of claim 11, wherein said slave control unit further comprises a power regulator module; a

starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

13. (Original) The driver authentication and monitoring system of claim 11, wherein said operating profile comprises at least one operating parameter including at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

14. (Original) The driver authentication and monitoring system of claim 11 wherein said slave control unit generates an alarm signal for remotely alerting said authorized user when said at least one driver violates said operating profile.

15. (Currently Amended) A method of authenticating and monitoring drivers, comprising:

- providing a motor vehicle with a driver authentication and monitoring system;

- programming said driver authentication and monitoring system with an operating profile associated with a high risk driver;

- authenticating said high risk driver and enable operation of said motor vehicle within said operating profile by monitoring operation of said motor vehicle to determine if said high profile driver is violating said operating profile; ~~and~~

- generating an alarm signal if said high profile driver violates said operating profile while operating said motor vehicle; and

- governing mechanical operations of said vehicle remotely if said high profile driver violates said operating profile thereby maintaining occupant safety.

16. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said motor vehicle includes a GPS module and said monitoring operation of

said motor vehicle further comprises obtaining GPS data including motor vehicle speed and location.

17. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

18. (Original) The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

19. (Original) The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

20. (Original) The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

REMARKS

I. Priority

In the Office Action dated May 27, 2014, the Examiner acknowledged Applicant's claim for the benefit of a prior filed application but indicated that Applicant had not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120.

The Office Action argued that the Application is claiming the benefit of prior-filed nonprovisional application No. 12/496,509 under 35 U.S.C. 120, 121, or 365(c) and that copendency between the current application and the prior application is required. The Office Action indicated that the applications are not copending and therefore the benefit claim is improper. The Office Action required Applicant to delete the claim to benefit unless Applicant can establish copendency between the Applications.

In response, the Applicant respectfully notes that the present Application was filed April 8, 2013. The prior-filed nonprovisional application No. 12/496,509 upon which Applicant relies for purposes of priority was issued April 9, 2013. Thus, Applicant respectfully asserts that copendency of the present application and priority application has been established. Accordingly, the Applicant respectfully asserts that Applicant's priority claim is not improper.

The Office Action further indicated that there is no application data sheet on record claiming the benefit of the earlier application.

The Applicant respectfully notes an Application Data Sheet has been filed herewith. Accordingly, the Applicant respectfully asserts that The Applicant's claim for the benefit of priority is proper and respectfully requests the Application be moved to allowance.

II. Double Patenting

Claims 1-14 stand rejected on the ground of nonstatutory double patenting over claims 1-11 of U.S. Patent No. 8,417,415. The Examiner argued that the claims, if allowed would improperly extend the "right to exclude" already granted in the patent.

The Applicant respectfully notes that a terminal disclaimer is being filed herewith. Accordingly, the Applicant respectfully asserts that the double patenting rejection has been overcome and respectfully requests the application be moved to allowance.

III. Claim Rejections 35 U.S.C. 102

Claims 1-20 stand rejected under 35 U.S.C. 102(a) as being anticipated by Phelan (US 2010/0004818).

The Office Action indicated that in the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

The Office Action argued claims 1-20 of the instant application directly match claims 1-20 of Phelan.

In response, the Applicant respectfully notes the submission of the Application Data Sheet and Terminal Disclaimer, which establish a proper claim of priority to the Phelan reference.

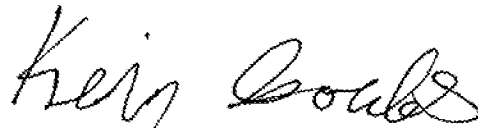
Further, the Applicant has amended the independent claims to describe material not included in the referenced claims. Based on this amendment and the Terminal Disclaimer provided herewith, the Applicant respectfully asserts the claims are now in condition for allowance and respectfully requests the rejection be withdrawn.

IV. Conclusion

Applicant thanks the examiner for the careful consideration of his claims. Applicant has amended the claims and now believes that the claims as amended are in proper form for allowance. Applicant respectfully requests prompt issuance of a notice of allowance.

Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin Soules", written over a horizontal line.

Dated: August 27, 2014

Kevin Soules
Attorney for Applicants
Registration No. 66,033
ORTIZ & LOPEZ, PLLC
P.O. Box 4484
Albuquerque, NM 87196-4484
Tel. (505) 314-1310

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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
1000-1796-C1

In re Application of: Michael Phelan

Application No.: 13/858,930

Filed: 04/08/2013

For: DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE

The owner*, Michael Phelan, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 8,417,415 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 66,033


Signature

8/27/2014
Date

Kevin Soules
Typed or printed name

(505) 314-1327
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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This collection of information is required by 37 CFR 1.321. 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1000-1796-C1
		Application Number	
Title of Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

<input type="checkbox"/> Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Michael		Phelan			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	Santa Fe	State/Province	NM	Country of Residence i	US	
Mailing Address of Inventor:						
Address 1		851 Camino Francisca				
Address 2						
City	Santa Fe	State/Province	NM			
Postal Code	87506	Country i	US			
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.						
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Customer Number	64064		
Email Address	docketing@olpatentlaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		
Attorney Docket Number	1000-1796-C1	Small Entity Status Claimed	<input checked="" type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

Mercedes EX1002

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1000-1796-C1
		Application Number	
Title of Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		

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Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.											
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Customer Number	64064										

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This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.					
Prior Application Status		Patented		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
	Continuation of	12496509	2009-07-01	8417415	2013-04-09
Prior Application Status		Expired		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)		
12496509	non provisional of	61077568	2008-07-02		
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.					Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(d). When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX) the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(h)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).	
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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1000-1796-C1
		Application Number	
Title of Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	<div>Remove</div> Access Code ^j (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			<div>Add</div>

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

<input type="checkbox"/> This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access:

<input checked="" type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices
<p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1000-1796-C1
		Application Number	
Title of Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		

Applicant 1			Remove
<p>If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.</p>			
Clear			
<input type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117	<input type="radio"/> Joint Inventor	
<input type="radio"/> Person to whom the inventor is obligated to assign.		<input type="radio"/> Person who shows sufficient proprietary interest	
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:			
Name of the Deceased or Legally Incapacitated Inventor : <input type="text"/>			
If the Applicant is an Organization check here. <input type="checkbox"/>			

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Address 2				
City		State/Province		
Country ⁱ		Postal Code		
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Non-Applicant Assignee Information:

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Page 91 of 170

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1000-1796-C1
		Application Number	
Title of Invention	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE		

If the Assignee is an Organization check here. <input type="checkbox"/>				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information:				
Address 1				
Address 2				
City		State/Province		
Country i		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee Data may be generated within this form by selecting the Add button. Add				

Signature:Remove

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications					
Signature	/KEVIN SOULES/			Date (YYYY-MM-DD)	2014-08-27
First Name	Kevin	Last Name	Soules	Registration Number	66033
Additional Signature may be generated within this form by selecting the Add button. Add					

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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.

Electronic Patent Application Fee Transmittal

Application Number:	13858930			
Filing Date:	08-Apr-2013			
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE			
First Named Inventor/Applicant Name:	Michael Phelan			
Filer:	Kevin Lee Soules/Kemlyn Evans			
Attorney Docket Number:	1000-1796-C1			
Filed as Micro Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:			Mercedes EX1002	

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
Total in USD (\$)				160

Electronic Acknowledgement Receipt

EFS ID:	19977654
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Kevin Lee Soules/Kemlyn Evans
Filer Authorized By:	Kevin Lee Soules
Attorney Docket Number:	1000-1796-C1
Receipt Date:	27-AUG-2014
Filing Date:	08-APR-2013
Time Stamp:	12:28:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	13813
Deposit Account	
Authorized User	

File Listing:

Mercedes EX1002

Page 96 of 170

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Amendment/Req. Reconsideration-After Non-Final Reject	1000-1796- C1_Amend_Aug2014.pdf	51372 <small>25921f9fc3c72c84b919f2a9e4923f0e0abf0 263</small>	no	9
Warnings:					
Information:					
2	Terminal Disclaimer Filed	1000-1796- C1_Term_disclaimer.pdf	136240 <small>554bd84bdbe4d10b692f41009d59100247 d875e</small>	no	1
Warnings:					
Information:					
3	Application Data Sheet	1000-1796-C1_ADS.pdf	1503478 <small>ba9da0bbfa64683bd7c5b1414487ecfa91c 74a6</small>	no	6
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30262 <small>db0759dc0af7c181de210799d71e5b7b76d f05a9</small>	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1721352		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/858,930	Filing Date 04/08/2013	<input type="checkbox"/> To be Mailed
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ENTITY: ☐ LARGE ☐ SMALL ☒ MICRO

APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	08/27/2014	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X \$20 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	X \$105 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						0	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	X \$ =	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
TOTAL ADD'L FEE						

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/KAREN VESTAL/

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: 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.

Mercedes EX1002



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/858,930	04/08/2013	Michael Phelan	1000-1796-C1	4464
64064	7590	05/27/2014	EXAMINER	
ORTIZ & LOPEZ, PLLC P.O. BOX 4484 ALBUQUERQUE, NM 87196-4484			DAGER, JONATHAN M	
			ART UNIT	PAPER NUMBER
			3663	
			NOTIFICATION DATE	DELIVERY MODE
			05/27/2014	ELECTRONIC

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

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@olpatentlaw.com

Office Action Summary	Application No. 13/858,930	Applicant(s) PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER	Art Unit 3663	AIA (First Inventor to File) Status Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2013.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ 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.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1-20 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-20 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 08 April 2013 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- 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)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 3) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>Mercedes EX1002</u> |
| 2) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____. | 4) <input type="checkbox"/> Other: ____. |

Art Unit: 3663

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

Priority

1. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

- This application is claiming the benefit of prior-filed nonprovisional application No. 12/496,509 under 35 U.S.C. 120, 121, or 365(c). Copendency between the current application and the prior application is required. Since the applications are not copending, the benefit claim to the prior-filed nonprovisional application is improper. Applicant is required to delete the claim to the benefit of the prior-filed application, unless applicant can establish copendency between the applications.
- There is no application data sheet on record (see 37 CFR 1.78) claiming benefit of the earlier application.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not

Art Unit: 3663

patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the reference application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO internet Web site contains terminal disclaimer forms which may be used. Please visit <http://www.uspto.gov/forms/>. The filing date of the application will determine what form should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to <http://www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp>.

Claims 1-14 are rejected on the ground of nonstatutory double patenting over claims 1-11 of U.S. Patent No. 8,417,415 since the claims, if allowed, would improperly extend the “right to exclude” already granted in the patent.

Art Unit: 3663

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows: the scope of claims 1-14 have already been encompassed by claims 1-11 of the patent.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 102

3. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

Claims 1-20 are rejected under 35 U.S.C. 102(a)(1) as being anticipated by Phelan (US 2010/0004818).

Claims 1-20 of the instant application directly match claims 1-20 of Phelan.

Art Unit: 3663

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN M. DAGER whose telephone number is (571)270-1332. The examiner can normally be reached on 0830-1800 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Thomas Tarcza can be reached at 571-272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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.

/JONATHAN M DAGER/
Primary Examiner, Art Unit 3663
16 May 2014

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,481,253 A	01-1996	Phelan et al.	340/5.67
*	B	US-2002/0049538 A1	04-2002	Knapton et al.	701/216
*	C	US-6,430,488 B1	08-2002	Goldman et al.	701/36
*	D	US-6,741,920 B1	05-2004	Otto, Richard E.	701/49
*	E	US-2004/0225557 A1	11-2004	Phelan et al.	705/011
*	F	US-2005/0137757 A1	06-2005	Phelan et al.	701/001
*	G	US-2005/0182538 A1	08-2005	Phelan et al.	701/035
*	H	US-2006/0047419 A1	03-2006	Diendorf et al.	701/208
*	I	US-2006/0111817 A1	05-2006	Phelan et al.	701/001
*	J	US-2006/0106515 A1	05-2006	Phelan et al.	701/035
*	K	US-2006/0122749 A1	06-2006	Phelan et al.	701/035
*	L	US-2006/0212195 A1	09-2006	Veith et al.	701/035
*	M	US-2006/0200008 A1	09-2006	Moore-Ede, Martin	600/300

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 13/858,930		Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL	
	Examiner JONATHAN M. DAGER		Art Unit 3663	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0082706 A1	04-2007	Campbell et al.	455/563
*	B	US-2007/0158128 A1	07-2007	Gratz et al.	180/287
*	C	US-2008/0245598 A1	10-2008	Gratz et al.	180/287
*	D	US-2008/0319602 A1	12-2008	McClellan et al.	701/33
*	E	US-2009/0024273 A1	01-2009	Follmer et al.	701/35
*	F	US-2009/0027177 A1	01-2009	Hodder, David John	340/426.12
*	G	US-2009/0030770 A1	01-2009	Hersh et al.	705/9
*	H	US-2009/0079555 A1	03-2009	Aguirre De Carcer et al.	340/441
*	I	US-2009/0069954 A1	03-2009	ALADESUYI, Kayode	701/2
*	J	US-2009/0189736 A1	07-2009	Hayashi, Hitoshi	340/5.81
*	K	US-2010/0004818 A1	01-2010	Phelan, Michael	701/35
*	L	US-7,956,730 B2	06-2011	White et al.	340/426.2
*	M	US-8,258,939 B2	09-2012	Miller et al.	340/457.1


FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Search Notes 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663


CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
ASSIGNEE	5/16/2014	JD
INVENTOR	5/16/2014	JD
KEYWORD	5/16/2014	JD
CITATION OF BEST PRIOR ART	5/16/2014	JD

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

<i>Index of Claims</i> 	Application/Control No. 13858930	Applicant(s)/Patent Under Reexamination PHELAN, MICHAEL
	Examiner JONATHAN M DAGER	Art Unit 3663

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	05/16/2014							
	1	✓							
	2	✓							
	3	✓							
	4	✓							
	5	✓							
	6	✓							
	7	✓							
	8	✓							
	9	✓							
	10	✓							
	11	✓							
	12	✓							
	13	✓							
	14	✓							
	15	✓							
	16	✓							
	17	✓							
	18	✓							
	19	✓							
	20	✓							

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	43505	340/988-996,425\$3-490.ccls. or 701/1,2,19-49,70,93,200-216,300.ccls. or phelan.in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:28
S2	7394	S1 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:29
S3	1220	S2 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S4	883	S3 and ((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:30
S5	57	S3 and (((user or driver or operator) with (authentikat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:31
S6	13	S5 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:32
S7	619575	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S8	115297	S7 and ((user or driver or operator) with (file or profile))	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:40
S9	82875	S8 and ((user or driver or operator) with (pin or authentikat\$4 or biometric	US-PGPUB;	OR	ON	2011/09/30 14:40

		or keyword or password or code or identify\$4 or identification))	USPAT; FPRS; EPO; JPO; DERWENT			
S10	8210	S8 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S11	586	S10 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:41
S12	222	S11 and gps	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:42
S13	27	S12 and (vehicle with terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/09/30 14:44
S14	1	("2007/0158128").URPN.	USPAT	OR	ON	2011/09/30 14:48
S15	0	("2008/0245598").URPN.	USPAT	OR	ON	2011/09/30 14:48
S16	10	"196509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S17	8	"496509".ap.	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:20
S18	0	("2010/0004818").URPN.	USPAT	OR	ON	2011/10/03 09:51
S19	11	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$).did.	US- PGPUB	OR	ON	2011/10/03 09:56
S20	0	S19 and rfid	US- PGPUB	OR	ON	2011/10/03 09:56
S21	1	S19 and fob	US- PGPUB	OR	ON	2011/10/03 09:56
S22	0	S16 and rfid	US-	OR	ON	2011/10/03

			PGPUB; USPAT; FPRS; EPO; JPO; DERWENT			09:57
S23	619817	((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database or server))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S24	115299	S23 and ((user or driver or operator) with (file or profile))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S25	8210	S24 and (((user or driver or operator) with (pin or authenticat\$4 or biometric or keyword or password or code or identify\$4 or identification)) same terminal)	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S26	586	S25 and ((overspeed or speed\$4 or location or reckless or abusive or seatbelt or unauthorized or prohibit\$4) with (alert\$4 or alarm\$4))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S27	222	S26 and gps	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:57
S28	66	S27 and rfid	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 09:58
S29	9	S28 and (fob or keyfob or "key fob")	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:02
S30	25	S27 and (fob or keyfob or "key fob")	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:03
S31	1024	rke	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:04
S32	535	S31 and (authenticat\$4 or identif\$)	US-	OR	ON	2011/10/03

			PGPUB; USPAT; FPRS; EPO; JPO; DERWENT			10:05
S33	170	S31 and ((authenticat\$4 or identif\$) with (user or driver))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:05
S34	62	S31 and (((authenticat\$4 or identif\$) with (user or driver)) same (fob or keyfob or transciever or key-fob or smart))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S35	61	S34 and vehicle	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S36	2	S34 and ((user or driver or operator) with (file or profile))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2011/10/03 10:06
S37	1	"12496509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/03/05 13:32
S38	12	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$).did.	US- PGPUB	OR	OFF	2012/03/05 16:28
S39	9	S38 and (fault\$4 or error or malfunction or breakdown or accident)	US- PGPUB	OR	OFF	2012/03/05 16:28
S40	12	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$).did.	US- PGPUB	OR	OFF	2012/03/05 17:03
S41	9	S40 and (fault\$4 or error or malfunction or breakdown or accident)	US- PGPUB	OR	OFF	2012/03/05 17:03
S42	10	("2006/0212195").URPN.	USPAT	OR	OFF	2012/03/05
S43	1318	phelan.in.	US-	OR	ON	2012/03/05

			PGPUB; USPAT; FPRS; EPO; JPO; DERWENT			17:14
S44	163	S43 and vehicle	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:15
S45	46	S44 and ((authentica\$4 or identif\$) with (user or driver))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S46	13	S45 and ((central\$5 or remot\$3 or main) with (manager\$4 or monitor\$4 or station or database))	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2012/03/05 17:16
S47	41	("20010033225" "20020022920" "20020049538" "20020111735" "20020123834" "20020178033" "20030195694" "20030216857" "20040083041" "20040153362" "4007438" "5797134" "5819198" "6064970" "6067489" "6438472" "6473000" "6636790" "6771176").PN. OR ("6931309").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/03/05 17:17
S48	19	(US-20090079555-\$ or US- 20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US- 20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US- 20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US- 20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US- 20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US- 20050137757-\$ or US-20040225557-\$ or US-20020049538-\$).did.	US- PGPUB	OR	OFF	2012/09/25 14:46
S49	1	"12496509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 14:48
S50	11	S48 and (radio or audio or stereo)	US- PGPUB	OR	OFF	2012/09/25 15:01
S51	5235	vehicle same parent\$4 same control\$4	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:06
S52	46	S51 and ((disabl\$4 or prevent\$4 or prohibit\$4 or ((power\$4 or turn\$4) with	US- PGPUB;	OR	OFF	2012/09/25

		(off or down))) with (radio or stereo))	USPAT; USOCR; EPO; JPO; DERWENT			
S53	51	S51 and ((disabl\$4 or prevent\$4 or restrict\$4 or prohibit\$4 or ((power\$4 or turn\$4) with (off or down))) with (radio or stereo))	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/09/25 15:08
S54	118	("4477874" "4707788" "4835970" "5091856" "5124920" "5247440" "5289369" "5303163" "5379219" "5446659" "5504482" "5513107" "5532690" "5581464" "5608629" "5680328" "5812070" "5877707" "5938716" "5948026" "5969598" "6006148" "6076026" "6122580" "6173231" "6232874" "6256565" "6275231" "6278928").PN. OR ("6430488").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:14
S55	82	S54 and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S56	1014581	"9" and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S57	27	S55 and parent\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:15
S58	1012	phelan.in.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S59	131	phelan.in. and vehicle	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S60	49	phelan.in. and vehicle and radio	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S61	46	phelan.in. and vehicle and radio and identif\$	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:18
S62	46	phelan.in. and vehicle and radio and (identif\$4 or identification)	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S63	46	phelan.in. and vehicle and radio and (identif\$4 or identification)	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:19
S64	1	S63 and authentication	US- PGPUB; USPAT;	OR	OFF	2012/09/25 15:19

			USOCR			
S65	76	("3059070" "3187334" "3520161" "3644745" "3651464" "3660624" "3757305" "3796889" "3870895" "4148372" "4150731" "4222034" "4296402" "4335370" "4347545" "4379966" "4390758" "4436993" "4438426" "4533016" "4555619" "4565922" "4578573" "4645939" "4659915" "4682062" "4686358" "4733638" "4842093" "4965460" "4993627" "5006843" "5079435" "5109221").PN. OR ("5481253").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:21
S66	1	S65 and (radio same (alert\$4 or alarm\$4))	US- PGPUB; USPAT; USOCR	OR	OFF	2012/09/25 15:22
S67	25	(US-20090079555-\$ or US-20090069954-\$ or US-20090030770-\$ or US-20090024273-\$ or US-20080319602-\$ or US-20080245598-\$ or US-20060047419-\$ or US-20060212195-\$ or US-20090189736-\$ or US-20070158128-\$ or US-20060200008-\$ or US-20070082706-\$ or US-20060122749-\$ or US-20060111817-\$ or US-20060106515-\$ or US-20050182538-\$ or US-20050137757-\$ or US-20040225557-\$ or US-20020049538-\$ or US-20090027177-\$).did. or (US-6430488-\$ or US-8258939-\$ or US-7956730-\$ or US-6741920-\$ or US-5481253-\$).did.	US- PGPUB; USPAT	OR	OFF	2012/09/25 19:46
S68	36	PHELAN.IN. and ("307" or "180" or "701" or "340" or "180").clas.	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:22
S69	8	S68 and gps and profile	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	OFF	2012/12/13 14:23
S70	1	"12196509"	US- PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:09
S71	213	phelan.in. and unique	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:09
S72	29	phelan.in. and (unique with code)	US- PGPUB; USPAT; FPRS;	OR	ON	2014/05/15 19:10

			EPO; JPO; DERWENT			
S73	15	phelan.in. and (unique with code) and driver	US- PGPUB; USPAT; FPRS; EPO; JPO; DERWENT	OR	ON	2014/05/15 19:10

5/ 16/ 2014 9:58:33 PM
C:\ Users\ jdager\ Desktop\ patent searches\ phelan\ 1385893015may2014.wsp



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BIB DATA SHEET

CONFIRMATION NO. 4464

SERIAL NUMBER 13/858,930	FILING or 371(c) DATE 04/08/2013 RULE	CLASS 701	GROUP ART UNIT 3663	ATTORNEY DOCKET NO. 1000-1796-C1		
APPLICANTS INVENTORS Michael Phelan, Santa Fe, NM; ** CONTINUING DATA ***** N/A ** FOREIGN APPLICATIONS *** N/A ** IF REQUIRED, FOREIGN FILING DATE ** 05/15/2013 IF GRANTED *** MICRO ENTITY **						
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>Examiner's Signature</u>		<input type="checkbox"/> Met after Allowance <u>Initials</u>	STATE OR COUNTRY NM	SHEETS DRAWINGS 8	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 3
ADDRESS ORTIZ & LOPEZ, PLLC P.O. BOX 4484 ALBUQUERQUE, NM 87196-4484 UNITED STATES						
TITLE DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE						
FILING FEE RECEIVED 435	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit			

PLUS Search Results for S/N 13858930, Searched Wed Apr 23 10:18:05 EDT 2014

The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

3797605 99	5761626 99
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RE35590 99	
5694116 99	

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/858,930			
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	70		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	150		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	180		
TOTAL CLAIMS (37 CFR 1.16(j))	20	minus 20 = *			OR	x 20 =	0.00		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *				x 105 =	0.00		
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00		
			TOTAL			TOTAL	400		
* If the difference in column 1 is less than zero, enter "0" in column 2.									
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)		
	Total (37 CFR 1.16(i))	*	Minus **	=	x =	OR	x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =	OR	x =		
	Application Size Fee (37 CFR 1.16(s))					OR			
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR			
			TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE			
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)		
	Total (37 CFR 1.16(i))	*	Minus **	=	x =	OR	x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =	OR	x =		
	Application Size Fee (37 CFR 1.16(s))					OR			
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					OR			
			TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/858,930	04/08/2013	3661	435	1000-1796-C1	20	3

CONFIRMATION NO. 4464

UPDATED FILING RECEIPT



64064
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

Date Mailed: 02/05/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Michael Phelan, Santa Fe, NM;

Applicant(s)

Michael Phelan, Santa Fe, NM;

Power of Attorney: The patent practitioners associated with Customer Number 64064

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 05/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/858,930**

Projected Publication Date: 10/09/2014

Non-Publication Request: No

Early Publication Request: No

**** MICRO ENTITY ****

Title

DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING
VEHICLE USAGE

Preliminary Class

701

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.

DECLARATION/POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application entitled: **DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE**

the application of which

☐ is attached hereto OR ☒ was filed on 04/08/2013 as U.S. Application No. 13/858,930

The above-identified application was made or authorized to be made by me.

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56.

The present application is a continuation of nonprovisional patent application no. 12/496,509, entitled "Driver Authentication System and Method For Monitoring and Controlling Vehicle Usage," filed July 1, 2009, which is a continuation of provisional patent application no. 61/077,568, entitled "Systems and methods for monitoring and controlling vehicle usage by young drivers", filed July 2, 2008, which are all hereby incorporated by reference.

Authorization To Permit Access To Application by Participating Offices

☒ If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, or other intellectual property office in which a foreign application claiming priority to the above-identified application is filed to have access to the application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the application-as-filed with respect to: 1) the above-identified application, 2) any foreign application to which the above-identified application claims priority under 35 USC 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified US application, and 3) any U.S. application from which benefit is sought in the above-identified application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

Power of Attorney

I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:


Customer Number 64064

Direct all correspondence to the address associated with Customer Number 64064

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION, continued

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

Name of sole or first inventor: Michael Phelan

Inventor's Signature: 

Date: MAY 28 2013

Residence: 851 Camino Franciscas

Santa Fe, NM 87506

Citizenship: United States of America

Mailing Address:
(Same as above)

Electronic Patent Application Fee Transmittal

Application Number:	13858930			
Filing Date:	08-Apr-2013			
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE			
First Named Inventor/Applicant Name:	Michael Phelan			
Filer:	Luis Melisendro Ortiz/Kemlyn Evans			
Attorney Docket Number:	1000-1796-C1			
Filed as Micro Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
BASIC UTILITY PATENT FILING FEE-MCRO-ENT	3011	1	70	70
Utility Search Fee	3111	1	150	150
Utility Examination Fee	3311	1	180	180
Pages:				
Claims:				
Miscellaneous-Filing:				
Late Filing Fee for Oath or Declaration	3051	1	35	35
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				435

Electronic Acknowledgement Receipt

EFS ID:	15894707
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Luis Melisendro Ortiz/Kemlyn Evans
Filer Authorized By:	Luis Melisendro Ortiz
Attorney Docket Number:	1000-1796-C1
Receipt Date:	29-MAY-2013
Filing Date:	08-APR-2013
Time Stamp:	14:19:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$435
RAM confirmation Number	579
Deposit Account	
Authorized User	

File Listing:

Mercedes EX1002

Page 127 of 170

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Part / .zip	Pages (if appl.)
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1	Certification of Micro Entity (Gross Income Basis)	1000-1796-C1_Microentity.pdf	1555554 b9562101e21b2f6cb63624f0d208ed55babbb8ec	no	1
Warnings:					
Information:					
2	Oath or Declaration filed	1000-1796-C1_Declaration.pdf	590292 c40663c23af20640d583ca848e1c38602bba37cc	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	36974 f24ff4cd7a7fb2435cad506a951a6bd09d93ed1a	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2182820		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

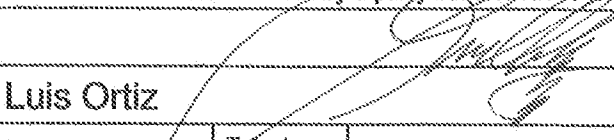
**CERTIFICATION OF MICRO ENTITY STATUS
(GROSS INCOME BASIS)**

Application Number or Control Number (if applicable): 13/858,930	Patent Number (if applicable):
First Named Inventor: Michael Phelan	Title of Invention: Driver Authentication System and Method for Monitoring and Controlling Vehicle Usage

The applicant hereby certifies the following—

- (1) **SMALL ENTITY REQUIREMENT** - The applicant qualifies as a small entity as defined in 37 CFR 1.27.
- (2) **APPLICATION FILING LIMIT** - Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights or is obligated to assign all ownership rights as a result of the applicant's previous employment.
- (3) **GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS** - Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.
- (4) **GROSS INCOME LIMIT ON PARTIES WITH AN "OWNERSHIP INTEREST"** - Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the "Maximum Qualifying Gross Income" reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

SIGNATURE by a party set forth in 37 CFR 1.33(b)

Signature					
Name	Luis Ortiz				
Date	May 29, 2013	Telephone	(505) 314-1311	Registration No.	36,230
<input type="checkbox"/>	There is more than one inventor and I am one of the inventors who are jointly identified as the applicant. Additional certification form(s) signed by the other joint inventor(s) are included with this form.				

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/858,930			
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	300		N/A			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A			
TOTAL CLAIMS (37 CFR 1.16(j))	20	minus 20 = *	x 40 =	0.00	OR				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x 210 =	0.00					
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00					
			TOTAL	730		TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.									
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		x =	
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		x =	
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									



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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/858,930	04/08/2013	Michael Phelan	1000-1796

CONFIRMATION NO. 4464

FORMALITIES LETTER



OC000000061255495

64064
ORTIZ & LOPEZ, PLLC
P.O. BOX 4484
ALBUQUERQUE, NM 87196-4484

Date Mailed: 05/23/2013

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$70 to complete the basic filing fee for a small entity.
- The inventor's oath or declaration or an application data sheet (ADS) naming each inventor has not been submitted. An inventor's oath or declaration in compliance with 37 CFR 1.63 or 1.64 executed by or with respect to each inventor, or a properly executed ADS in compliance with 37 CFR 1.76 identifying each inventor by his or her legal name, mailing address, and residence (if an inventor lives at a location which is different from where the inventor customarily receives mail) is required. If an ADS as set forth above is provided, the filing of the inventor's oath or declaration may be postponed until the application is otherwise in condition for allowance. See 37 CFR 1.53(f).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A surcharge (for late submission of the basic filing fee, search fee, examination fee or inventor's oath or declaration) as set forth in 37 CFR 1.16(f) of \$ 70 for a small entity in compliance with 37 CFR 1.27, must be submitted.

SUMMARY OF FEES DUE:

Total fee(s) required within **TWO MONTHS** from the date of this Notice is \$ 800 for a small entity

- \$ 70 Statutory basic filing fee.
- \$ 70 Surcharge.
- The application search fee has not been paid. Applicant must submit \$ 300 to complete the search fee.
- The application examination fee has not been paid. Applicant must submit \$ 360 to complete the examination fee for a small entity in compliance with 37 CFR 1.27.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/kung/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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 NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/858,930	04/08/2013	3661	0.00	1000-1796	20	3

CONFIRMATION NO. 4464

64064

ORTIZ & LOPEZ, PLLC

P.O. BOX 4484

ALBUQUERQUE, NM 87196-4484

FILING RECEIPT



OC000000061255494

Date Mailed: 05/23/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Michael Phelan, Residence Not Provided;

Applicant(s)

Michael Phelan, Residence Not Provided;

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 05/15/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/858,930**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING
VEHICLE USAGE

Preliminary Class

701

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	1000-1796
	First Named Inventor	Michael Phelan
	Title	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING
	Express Mail Label No.	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/17 or equivalent) 2. <input checked="" type="checkbox"/> Applicant asserts small entity status. See 37 CFR 1.27 3. <input type="checkbox"/> Applicant certifies micro entity status. See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent. 4. <input type="checkbox"/> Specification [Total Pages _____] Both the claims and abstract must start on a new page. (See MPEP § 608.01(a) for information on the preferred arrangement) 5. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>8</u>] 6. Inventor's Oath or Declaration [Total Pages _____] (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e)) a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> A copy from a prior application (37 CFR 1.63(d)) 7. <input type="checkbox"/> Application Data Sheet * See note below. See 37 CFR 1.76 (PTO/AIA/14 or equivalent) 8. CD-ROM or CD-R in duplicate, large table, or Computer Program (Appendix) <input type="checkbox"/> Landscape Table on CD 9. Nucleotide and/or Amino Acid Sequence Submission (if applicable, items a. – c. are required) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies	ACCOMPANYING APPLICATION PAPERS 10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) Name of Assignee _____ 11. <input type="checkbox"/> 37 CFR 3.73(c) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 12. <input type="checkbox"/> English Translation Document (if applicable) 13. <input type="checkbox"/> Information Disclosure Statement (PTO/SB/08 or PTO-1449) <input type="checkbox"/> Copies of citations attached 14. <input type="checkbox"/> Preliminary Amendment 15. <input type="checkbox"/> Return Receipt Postcard (MPEP § 503) (Should be specifically itemized) 16. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 17. <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 18. <input type="checkbox"/> Other: This is a continuation of application 12/496,509 _____ _____ _____ _____

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
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19. CORRESPONDENCE ADDRESS				
<input checked="" type="checkbox"/> The address associated with Customer Number: <u>64064</u> OR <input type="checkbox"/> Correspondence address below				
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City	State	Zip Code		
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Signature	/Richard Krukar/		Date	4/8/2013
Name (Print/Type)	Richard Krukar		Registration No. (Attorney/Agent)	53,162

This collection of information is required by 37 CFR 1.53(b). 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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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.
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Electronic Patent Application Fee Transmittal

Application Number:

Filing Date:

Title of Invention:

DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE

First Named Inventor/Applicant Name:

Michael Phelan

Filer:

Richard Harold Krukar

Attorney Docket Number:

1000-1796-C1

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360

Pages:

Claims:

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Mercedes EX1002

Page 138 of 170

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				730

Electronic Acknowledgement Receipt

EFS ID:	15465545
Application Number:	13858930
International Application Number:	
Confirmation Number:	4464
Title of Invention:	DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND CONTROLLING VEHICLE USAGE
First Named Inventor/Applicant Name:	Michael Phelan
Customer Number:	64064
Filer:	Richard Harold Krukar
Filer Authorized By:	
Attorney Docket Number:	1000-1796-C1
Receipt Date:	08-APR-2013
Filing Date:	
Time Stamp:	23:29:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Specification	1000-1796-C1.pdf	109642 f56d3b74f39739680692fadab8912b7691b a7fb2	no	20

Warnings:

Information:

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Page 140 of 170

2	Drawings-only black and white line drawings	drawings.pdf	166289 ccfee63f753ac73fcca42dd7abec1a4a973f15a4	no	8
Warnings:					
Information:					
3	Transmittal of New Application	aia0015_filled.pdf	275358 0d496767ce539a2e3f9e2f269bb56f3909e6a0c9	no	2
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32938 9034d81a71479bc5a4967820b6b3eaade3428e2b	no	2
Warnings:					
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Total Files Size (in bytes):			584227		
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DRIVER AUTHENTICATION SYSTEM AND METHOD FOR MONITORING AND
CONTROLLING VEHICLE USAGE

INVENTION PRIORITY

[0001] The present application is a continuation of nonprovisional patent application no. 12/496,509, entitled "Driver Authentication System and Method For Monitoring and Controlling Vehicle Usage," filed July 1, 2009, which is a continuation of provisional patent application no. 61/077,568, entitled "Systems and methods for monitoring and controlling vehicle usage by young drivers", filed July 2, 2008, which are all hereby incorporated by reference.

TECHNICAL FIELD

[0002] Embodiments are generally related to techniques for use in ensuring motor vehicle operation safety. Embodiments are also related to systems and methods for monitoring and controlling vehicle usage by high-risk drivers.

BACKGROUND OF THE INVENTION

[0003] The widespread usage of motor vehicles for both personal and work related activities places millions of vehicles on roads each day with their operation being largely unmonitored. Unmonitored vehicle operation can lead to issues including, for example, abusive use of the vehicle and lack of experience. With more young drivers getting licenses each year, there has been an unfortunate increase in accidents along with the ensuing damage, debilitating injuries and sometimes death. Most of these accidents are attributable to speeding and generally poor driving habits.

[0004] FIG. 1 illustrates a graphical representation 100 that depicts the actual deaths in passenger vehicles by age provided by National Highway Transportation Safety Administration (NHTSA). The curve 110 represents the death rate associated with male drivers and the curve 120 represents the death rate of female drivers. From the graph 100, it is clear that the distribution of age related deaths is bi-modal, and clearly depicts the relationship between youth and auto fatality. Current data indicates that the offering of a driver education course result in a great increase in the number of young licensed drivers without any decrease in the rate of fatal and serious crash

involvement. Although such driver's education programs do teach safety skills, students are not motivated to utilize them and they actually foster overconfidence and do not fully consider safety issues.

[0005] The factors that have been researched and proven as the leading contributors to accidents, injuries and fatalities among teens includes lack of driving experience, inadequate driving skills, risk-taking behavior, poor judgment and decision making, distraction and lack of focus. As a result of these factors, a higher proportion of teens are responsible for fatal crashes because of driving errors as evidenced by a larger percentage of crashes of single vehicles, a larger percentage of crashes involving speed, a larger percentage of crashes involving other passengers.

[0006] Based on the foregoing it is believed that a need exists for an improved driver authentication system and method for monitoring and controlling vehicle usage by a high-risk driver. A need also exists for an improved method for identifying and authenticating the driver and programming the vehicle operating parameters that trigger control and driver feedback intervention, as described in greater detail herein.

BRIEF SUMMARY

[0007] The following summary is provided to facilitate an understanding of some of the innovative features unique to the present invention and is not intended to be a full description. A full appreciation of the various aspects of the embodiments disclosed herein can be gained by taking the entire specification, claims, drawings, and abstract as a whole.

[0008] It is, therefore, one aspect of the present invention to provide for an improved driver authentication system and method.

[0009] It is another aspect of the present invention to provide for an improved system and method for monitoring and controlling vehicle usage by high-risk drivers.

[0010] It is further aspect of the present invention to provide for an improved method for identifying and authenticating the driver and programming the vehicle operating parameters that trigger control and driver feedback intervention.

[0011] The aforementioned aspects and other objectives and advantages can now be achieved as described herein. A driver authentication system and method for monitoring and controlling vehicle usage by a high-risk driver (e.g., teen driver, fleet or rental drivers, habitual reckless drivers, etc) is disclosed. A proprietary and centralized database comprising a software application can be accessed by an authorized user via a network utilizing a remote computer in order to configure a desired operating profile that matches requirements of the high-risk driver. The operating profile can be loaded to a driver identification and data logging device in conjunction with the remote computer. A master control unit can receive a unique identification code from the data logging device to authenticate the high-risk driver and to operate the vehicle within the desired operating profile. A slave control unit receives commands from the master control unit and generates a real time alarm signal if the driver violates the preprogrammed operating profile unique to the driver.

[0012] The alarm signal generated by the slave control unit can remain until the driver corrects the operating condition and brings the vehicle within the desired operating profile. Also, the system can provide an alarm signal to the authorized user (e.g., parent) utilizing an auto dial feature that communicates the authorized user's

telephone or internet when the driver violates preprogrammed operating profile. The operating parameters can be for example, but not limited to, data concerning maximum allowable vehicle speed, vehicle location, vehicle hours of operating and seat belt usage. The slave control unit can generate the alarm signal via a voice synthesized means, sounding a cabin buzzer, toggling the dome light and/or powering the radio off, etc. The driver identification and data logging device can allow identification of various drivers associated with the vehicle, thereby allowing the vehicle to perform in one way for the intended high-risk drivers, yet another way for the authorized user. The system can include a GPS (Global Positioning System) module to determine and measure parameters such as, time of day, speed and location data associated with the vehicle.

[0013] The driver authentication system can include additional features such as data logging, alarming, operation governance, ease of programmability and can utilize GPS technology to provide high-risk driver safety. The system also provides user awareness that reduce the likelihood of a high-risk driver injury or fatality by helping the high-risk drivers with safe driving habits through immediate and real time feedback and governing. The programmable operating parameters associated with the real time driver feedback can categorize the system as a unique driver safety device. Additionally, the system and method described herein can provide multiple operating profiles for a single vehicle that allows the owners to operate the vehicle without any restrictions yet have restrictions in affect when the vehicle is operated by the high risk driver.

BRIEF DESCRIPTION OF THE DRAWINGS

[0014] The accompanying figures, in which like reference numerals refer to identical or functionally-similar elements throughout the separate views and which are incorporated in and form a part of the specification, further illustrate the present invention and, together with the detailed description of the invention, serve to explain the principles of the present invention.

[0015] FIG. 1 illustrates a graphical representation depicting actual deaths in passenger vehicles by age;

[0016] FIG. 2 illustrates a schematic view of a computer system in which the present invention can be embodied;

[0017] FIG. 3 illustrates a schematic view of a software system including an operating system, application software, and a user interface that can be used for carrying out the present invention;

[0018] FIG. 4 depicts a graphical representation of a network of data processing systems in which aspects of the present invention can be implemented;

[0019] FIG. 5 illustrates a block diagram of a driver authentication system, in accordance with an embodiment;

[0020] FIG. 6 illustrates a schematic block diagram of the driver authentication system for monitoring and controlling vehicle usage, in accordance with an embodiment;

[0021] FIG. 7 illustrates a flow chart of operation illustrating logical operation steps of a method for monitoring and controlling vehicle usage, in accordance with embodiments; and

[0022] FIG. 8 illustrates a high level flow chart of operation illustrating logical operation steps of a method for monitoring and controlling vehicle usage by a high-risk driver, in accordance with embodiments.

DETAILED DESCRIPTION

[0023] The particular values and configurations discussed in these non-limiting examples can be varied and are cited merely to illustrate at least one embodiment and are not intended to limit the scope thereof.

[0024] FIGS. 2-4 are provided as exemplary diagrams of data processing environments in which embodiments of the present invention may be implemented. It should be appreciated that FIGS. 2-4 are only exemplary and are not intended to assert or imply any limitation with regard to the environments in which aspects or embodiments of the present invention may be implemented. Many modifications to the depicted environments may be made without departing from the spirit and scope of the present invention.

[0025] As depicted in FIG. 2, the present invention may be embodied in the context of a data-processing apparatus 200 comprising a central processor 201, a main memory 202, an input/output controller 203, a keyboard 204, a pointing device 205 (e.g., mouse, track ball, pen device, or the like), a display device 206, and a mass storage 207 (e.g., hard disk). Additional input/output devices, such as wireless communications 208, may be included in the data-processing apparatus 200 as desired. The wireless communications 208 can include cellular, GPS, satellite, etc. As illustrated, the various components of the data-processing apparatus 200 communicate through a system bus 210 or similar architecture.

[0026] FIG. 3 illustrates a computer software system 250 for directing the operation of the data-processing apparatus 200 depicted in FIG. 1. Software system 250, which is stored in main system memory 202 and on disk memory 207, can include a kernel or operating system 280 and a shell or interface 270. One or more application programs, such as software application 260, may be "loaded" (i.e., transferred from mass storage 207 into the main memory 202) for execution by the data-processing apparatus 200. The data-processing apparatus 200 receives user commands and data through user interface 270; these inputs may then be acted upon by the data-processing apparatus 200 in accordance with instructions from operating module 280 and/or application module 260.

[0027] The interface 270, which is preferably a graphical user interface (GUI), also serves to display results, whereupon the user may supply additional inputs or terminate the session. In one possible embodiment, operating system 280 and interface 270 can be implemented in the context of menu-driven systems. It can be appreciated, of course, that other types of systems are possible. For example, rather than a traditional menu-driven system, other operation systems can also be employed with respect to operating system 280 and interface 270. Software Application Module 260 can be adapted for monitoring and controlling vehicle usage high-risk drivers utilizing an operating profile. Software application module 260 can be adapted for providing a real time alarm signal if the driver violates the operating profile. Software application module 260, on the other hand, can include instructions, such as the various operations described herein with respect to the various components and modules described herein, such as, for example, the method 600 depicted in FIG. 7.

[0028] The following discussion is intended to provide a brief, general description of suitable computing environments in which the method and system may be implemented. Although not required, the method and system will be described in the general context of computer-executable instructions, such as program modules, being executed by a single computer. Generally, program modules include routines, programs, objects, components, data structures, etc., that perform particular tasks or implement particular abstract data types. Moreover, those skilled in the art will appreciate that the method and system may be practiced with other computer system configurations, including hand-held devices, multi-processor systems, microprocessor-based or programmable consumer electronics, networked PCs, minicomputers, mainframe computers, and the like.

[0029] FIG. 4 depicts a graphical representation of a network of data processing systems 300 in which aspects of the present invention may be implemented. Network data processing system 300 is a network of computers in which embodiments of the present invention may be implemented. Network data processing system 300 contains network 360, which is the medium used to provide communications links between various devices and computers connected together within network data processing apparatus 200. Network 360 may include connections, such as wire, wireless communication links, or fiber optic cables.

[0030] In the depicted example, server 310 and server 320 connect to network 360 along with storage unit 370. In addition, remote clients 330, 340, and 350 connect to network 360. These remote clients 330, 340, and 350 may be, for example, vehicle-based or portable computers. Data-processing apparatus 200 depicted in FIG. 2 can be, for example, a client such as client 330, 340, and/or 350. Alternatively, data-processing apparatus 200 can be implemented as a server, such as servers 320 and/or 310, depending upon design considerations.

[0031] In the depicted example, server 320 provides data, such as operating commands, operating system images, and applications to clients 330, 340, and 350. Remote clients 330, 340, and 350 are clients to server 320 in this example. Network data processing system 300 may include additional servers, clients, and other devices not shown. Specifically, clients may connect to any member of a network of servers which provide equivalent content.

[0032] In the depicted example, network data processing system 300 is the Internet with network 360 representing a worldwide collection of networks and gateways that use the Transmission Control Protocol/Internet Protocol (TCP/IP) suite of protocols to communicate with one another. At the heart of the Internet is a backbone of high-speed data communication lines between major nodes or host computers, consisting of thousands of commercial, government, educational and other computer systems that route data and messages. Of course, network data processing system 300 also may be implemented as a number of different types of networks, such as for example, cellular, satellite, or other wireless communications means.

[0033] The following description is presented with respect to embodiments of the present invention, which can be embodied in the context of a data-processing system such as data-processing apparatus 200, computer software system 250 and network 360 depicted respectively in FIGS. 2-4. The present invention, however, is not limited to any particular application or any particular environment. Instead, those skilled in the art will find that the system and methods of the present invention may be advantageously applied to a variety of system and application software, including database management systems, word processors, and the like. Moreover, the present invention may be embodied on a variety of different platforms, including Macintosh, UNIX, LINUX, and the

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like. Therefore, the description of the exemplary embodiments, which follows, is for purposes of illustration and not considered a limitation.

[0034] FIG. 5 illustrates a block diagram of a driver authentication system 450, in accordance with an embodiment. Note that in FIGS. 1-8, identical or similar blocks are generally indicated by identical reference numerals. The driver authentication system 450 can be utilized for monitoring and controlling vehicle usage by high-risk drivers such as driver 410. The high-risk drivers can be, for example, teen drivers, fleet and rental drivers, and habitual wreck less drivers, etc. The authentication system 450 can provide effective training and safety means for the high-risk driver 410 by setting safe operating parameters. The system 450 monitors a vehicle 420 and provide a real time driver corrective feedback to an authorized vehicle owner 470 of the vehicle 420.

[0035] The system 450 generally includes a master control unit 430 and a slave control unit 440 that can be accessed and programmed via the software application module 260 stored in the proprietary and centralized database 370. Note that as utilized herein, the term "module" may refer to a physical hardware component and/or to a software module. In the computer programming arts, such a software "module" may be implemented as a collection of routines and data structures that performs particular tasks or implements a particular abstract data type. Modules of this type are generally composed of two parts. First, a software module may list the constants, data types, variable, routines, and so forth that can be accessed by other modules or routines. Second, a software module may be configured as an implementation, which can be private (i.e., accessible only to the module), and which contains the source code that actually implements the routines or subroutines upon which the module is based.

[0036] Therefore, when referring to a "module" herein, the inventors are generally referring to such software modules or implementations thereof. The methodology described herein can be implemented as a series of such modules or as a single software module. Such modules can be utilized separately or together to form a program product that can be implemented through signal-bearing media, including transmission media and recordable media. The present invention is capable of being distributed as a program product in a variety of forms, which apply equally regardless of the particular type of signal-bearing media utilized to carry out the distribution.

[0037] Examples of signal-bearing media can include, for example, recordable type

media, such as floppy disks, hard disk drives, CD ROMs, CD-Rs, etc., and transmission media, such as signals transmitted over digital and/or analog communication links. Examples of transmission media can also include devices such as modems, which permit information to be transmitted over standard cellular communications and/or the more advanced wireless data communications.

[0038] The proprietary and centralized database 370 including the software application 260 can be accessed via a remote computer 465 and the network 360. Note that the remote computer 465 can be a data processing apparatus 200 depicted in FIG. 2. The authorized vehicle owner 470 can access the software application 260 over a data network 360, via the remote computer 465 in order to program a desired operating profile 435 representing various operating parameters associated with the vehicle 420. Note that the operating parameters can be for example, but not limited to, data concerning maximum allowable vehicle speed, vehicle locations, vehicle hours of operation and seat belt usage associated with the vehicle 420. The system 450 can also track various other features such as for example, data concerning hard braking and fast cornering, etc. Note that these features are not viewed as a key risk factor and therefore can be offered as additional features to the basic operating parameters of the driver authentication system 450.

[0039] The authorized vehicle owner 470 can be for example, but not limited to a parent of a teen, a fleet manager or operator and a judicial authority, etc. The operating profile 435 programmed by the owner 470 can include a set of driving rules and conditions that best fit the requirements of the intended high-risk driver 410 within the vehicle 420. Further, the operating profile 435 can be loaded to a driver identification and data logging device 425. The driver identification and data logging device 425 can be a USB compatible device such as for example, iButton, radio frequency identification device (RFID), etc that can be utilized in conjunction with the remote computer 465 in order to load the operating profile 235 into the master control unit 430. The driver identification and data logging device 225 can allow identification of various drivers 410 associated with the vehicle 420, thereby allowing the vehicle 420 to perform one way for the intended high-risk driver 410, yet another way for the authorized vehicle owner 470.

[0040] The data logging device 425 can be connected to the remote computer 465 and the operating profile 435 can be stored. Once the required information is copied into

the data logging device 425, the device 425 can be disconnected from the remote computer 465 and can be placed on a driver key ring (not shown). The master control unit 430 can authenticate the driver 410 utilizing a unique identification code 415 provided by the driver identification and data logging device 425. Further, the master control unit 430 can enable vehicle operation within the programmed operating profile 435. If the driver 410 violates the preprogrammed operating profile 435 the master control unit 430 can communicate with the slave control unit 440 and generate a real time driver alarm signal 445. The alarm signal 445 can result in an actual audible alarm, or it can be used to control/govern operational aspects of the vehicle. For example, the real time driver alarm signal 445 can be used to communicate conditions to the driver, limit/ disable radio functionality, govern mechanical operations (e.g., lower/limit speed), remotely contact vehicle owners/fleet managers, and other electrical or mechanical functions, while maintaining driver and occupant safety.

[0041] The driver alarm signal 445 generated by the slave control unit 440 can remain until the driver 410 corrects the operating conditions and brings the vehicle 420 within the programmed operating profile 435. The slave control unit 440 can generate the driver alarm signal 445 via a voice synthesized means, sounding a cabin buzzer, toggling the dome light and/or cutting the radio off, etc. Also, the system 450 can provide an owner alarm signal 460 that remotely alerts the authorized vehicle owner 470 regarding violation of the programmed operating profile 435. The owner alarm signal 460 can be an auto dial feature that communicates the authorized owner 470 via a cellular or data network.

[0042] FIG. 6 illustrates a schematic block diagram of the driver authentication system 450, in accordance with an embodiment. The master control unit 430 can authenticate the driver 410 utilizing the unique identification code 415 provided by the data logging device 425. The data logging device 425 associated with the master control unit 430 can be collectively called as 'brain' of the driver authentication system 450. The master control unit 430 can be installed in the vehicle 420 in a suitable place where the master control unit 430 can be directly exposed to the driver from a dash board of the vehicle 420.

[0043] The master control unit 430 can be configured to include driver identification and validation module 502, a GPS antenna processing module 504, a master micro

controller and processor 506, a memory module 508 and a function indicator module 510. The driver identification and validation module 502 can be utilized to authenticate the driver 410 utilizing the unique identification code 415 and enable the vehicle operation. The master control unit 430 can interpret driver authorization, and ascertain the vehicle speed. The master control unit 430 also interprets the location and time of day parameters versus maximum desired threshold limits.

[0044] The GPS antenna processing module 504 can be utilized to determine and measure time of day, speed and location data of the vehicle 420. The GPS antenna processing module 504 provides location information associated with the vehicle 420 to the authorized vehicle owner 470 hence the system 450 is compatible for any vehicle for monitoring and controlling the high-risk driver 410. The master microcontroller/processor 506 can process and control the operations associated with the master control unit 430. The memory module 508 associated with the master control unit 430 can be utilized to store the driver authentication 415 and operating profile 435 associated with the driver 410. The memory module 508 can further provide information for proper operation of the vehicle 420. The function indicator module 510 can monitor various functions in association with the vehicle 420 such for example, power, fault detection and monitoring, and other functions.

[0045] The master control unit 430 can communicate and send commands to the slave control unit 440 associated with the driver authentication system 450. The slave control unit 440 can include a power generator 530, a slave micro controller and processor 528, a starter relay 526, a definable relay 524, and an alarm synthesizer 522. The slave control unit 440 can be mounted under the dash board of the vehicle 420. The slave control unit 440 can receive wireless commands from master control unit 430 and generates the alarm signal 445 and 460. The slave control unit 440 can include pins such as a dirty 12 VDC pin 532, a dirty ground pin 534, a starter in pin 536, a starter out pin 538, seat belt sensor pin 540, a breathalyzer pin 542, a definable input pin on dash slave control unit 440.

[0046] The power regulator 530 can be utilized to regulate a power source and operate the system 450 via the dirty 12 VDC pin 532 and the dirty ground pin 534. The starter relay 526 can be an electromechanical device that is operated by an electrical current that is provided by the starter in pin 536. The starter relay 526 can be enabled

by a starter enable signal 518 from the master control unit 430 when the driver 410 is authenticated. The starter relay 426 can generate an output via a starter out pin 538 that can be a mechanical function utilized to operate the vehicle 420. The seat belt sensor pin 540 can be externally connected to a seat belt sensor associated with the vehicle 420 where it obtains the information regarding usage of seat belt by the driver 410.

[0047] The breathalyzer 542 in pin 524 can provide status regarding alcohol consumption of the driver 410 while driving the vehicle 420. The slave microcontroller/processor 528 can process and control the operations of the slave control unit 440. The alarm/speaker/voice synthesizer 522 can receive the alarm enable signal 516 from the master control unit 430 and generate the owner programmed driver alarm signal 445 in the vehicle 420 when the driver 410 violates the programmed parameters. Further, the master control unit 430 and the slave control unit 440 can be communicated via various communication signal lines such as a clean power signal 520, an alarm enable signal 516, internal definable input signal 514 and an internal definable output signal 512.

[0048] FIG. 7 illustrates a flow chart of operation illustrating logical operation steps of a method 600 for monitoring and controlling vehicle usage, in accordance with an embodiment. The software application module 260 with operating parameters associated with the vehicle 420 can be configured and stored in the proprietary and centralized database 370, as depicted at block 610. The driver specific operating profile 435 for the high-risk driver 410 can be programmed by accessing the software application 260 via the remote computer 465, as indicated at block 620. Note that the software application 260 can include programming software that can be utilized to program the features of the driver authentication system 450. The software application module 260 monitors various parameters such as the 'trigger' levels for speed, and time of operation, etc. The software application module 260 can be accessible by the authorized owners 470 and can also be utilized to download the actual data logged during the operation of the vehicle 420. Further, the software application 260 can also be intuitive for the customer through the process of selecting parameters, trigger thresholds, etc.

[0049] The operating profile 435 for the driver 410 can be loaded to the driver identification and data logging device 425, as illustrated at block 630. The master control unit 430 can authenticate and validate the driver 410 utilizing the unique identification

code 415 provided by the driver identification and data logging device 425, as indicated at block 640. The operating profile 435 for the driver 410 can be transferred to the master control unit 430, as shown at block 650. The master control unit 430 monitors and logs vehicle performance via the GPS module 504 associated with master control unit 430, as depicted at block 660. The slave control unit 440 generates the driver alarm signal 445, if the driver 410 violates the programmed operating profile 435, as illustrated at block 670.

[0050] FIG. 8 illustrates a high level flow chart of operation illustrating a method 700 for monitoring and controlling vehicle usage by the high-risk driver 410, in accordance with an embodiment. Again as reminder, in FIGS. 1-8, identical or similar blocks are generally indicated by identical reference numerals. The operating profile 435 for the high-risk driver 410 can be programmed by accessing the software application 260 via the remote computer 465, as depicted at block 710. The programmed operating profile 435 for the high-risk driver 410 can be transferred into the driver identification and data logging device 425, as illustrated at block 720.

[0051] The driver 410 can be authenticated utilizing the unique identification code 415 provided by the driver identification and data logging device 425 and the programmed operating profile 435 for the driver 410 can be copied into the driver authentication system 450, as depicted at block 730. A determination can be made whether the driver 410 violates the operating profile 435, as illustrated at block 740. If the driver violates the operating profile 435, as shown at block 750, the driver alarm 445 signal can be generated by the driver authentication system 450, as depicted at block 755. Otherwise, the process can be continued to block 740.

[0052] The driver authentication system includes features such as data logging, alarming, operation governance, ease of programmability and utilizes GPS technology to provide high-risk driver safety. The system provides user awareness that reduce the likelihood of a high-risk driver injury or fatality by helping the high-risk drivers with safe driving habits through immediate and real time feedback and governing. The programmable operating parameters associated with the real time driver feedback can categorize the system as unique driver safety device. Additionally, the system and method described herein can provide multiple operating profiles for a single vehicle that allows the owners to operate the vehicle without any restrictions yet have the system

affect when the vehicle is operated by the high risk driver.

[0053] It will be appreciated that variations of the above-disclosed and other features and functions, or alternatives thereof, may be desirably combined into many other different systems or applications. Also that various presently unforeseen or unanticipated alternatives, modifications, variations or improvements therein may be subsequently made by those skilled in the art which are also intended to be encompassed by the following claims.

CLAIMS

What is claimed is:

1. A driver authentication and monitoring system, comprising:
a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and data logging device wherein master control unit receives a unique identification code to permit said at least one driver to operate said vehicle within an operating profile; and
a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate at least one of an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage.
2. The driver authentication and monitoring system of claim 1, further comprising a database comprising a program module including at least one operating parameter associated with a vehicle, said program module remotely accessible by an authorized user to program an operating profile with respect to at least one driver, said program module accessed by said authorized user via a network utilizing a remote computer.
3. The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device in conjunction with a remote computer load said operating profile for said at least one driver.
4. The driver authentication and monitoring system of claim 1, further comprising:
a driver identification and validation module; a GPS antenna processing module;
a memory module; and a function indicator module.
5. The driver authentication and monitoring system of claim 4, wherein said operating profile is loaded into said memory module for enabling operation of said vehicle when said at least one driver is authenticated.
6. The driver authentication and monitoring system of claim 4, wherein said GPS antenna processing module provides location information in association with said vehicle.

7. The driver authentication and monitoring system of claim 1, wherein said slave control unit further comprises a power regulator module; a starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

8. The driver authentication and monitoring system of claim 1, wherein said at least one operating parameter comprises at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

9. The driver authentication and monitoring system of claim 1, wherein said slave control unit generates an alarm signal for alerting said authorized user when said at least one driver violates said operating profile.

10. The driver authentication and monitoring system of claim 1, wherein said driver identification and data logging device comprises a radio frequency identification device.

11. A driver authentication and monitoring system, comprising:

- a master control unit in a motor vehicle for authenticating at least one driver via a driver identification and associating an operating profile with said at least one driver;

- a GPS module providing at least location and speed information in association with movement of said motor vehicle;

- a data logging device recording vehicle operation data associated with use of said motor vehicle by said at least one driver including location and speed information from said GPS module; and

- a slave control unit in a motor vehicle and in communication with said master control unit, said slave control unit configured to receive commands from said master control unit and to generate an alarm signal if said at least one driver violates said operating profile unique to said at least one driver thereby providing feedback about said vehicle usage;

- wherein master control unit permits said at least one driver to operate said vehicle within an operating profile if said master control unit receives at least one of a unique identification code to permit said at least one driver to operate said vehicle within an operating profile and said at least one driver has not violated said operating profile.

12. The driver authentication and monitoring system of claim 11, wherein said slave control unit further comprises a power regulator module; a starter relay module; a definable relay module; a slave microcontroller; and an alarm synthesizer.

13. The driver authentication and monitoring system of claim 11, wherein said operating profile comprises at least one operating parameter including at least one of: a maximum allowable vehicle speed; an allowable vehicle location; allowable hours of operation; and seatbelt usage.

14. The driver authentication and monitoring system of claim 11 wherein said slave control unit generates an alarm signal for remotely alerting said authorized user when said at least one driver violates said operating profile.

15. A method of authenticating and monitoring drivers, comprising:
providing a motor vehicle with a driver authentication and monitoring system;
programming said driver authentication and monitoring system with an operating profile associated with a high risk driver;
authenticating said high risk driver and enable operation of said motor vehicle within said operating profile by monitoring operation of said motor vehicle to determine if said high profile driver is violating said operating profile; and
generating an alarm signal if said high profile driver violates said operating profile while operating said motor vehicle.

16. The method of authenticating and monitoring drivers in claim 15, wherein said motor vehicle includes a GPS module and said monitoring operation of said motor vehicle further comprises obtaining GPS data including motor vehicle speed and location.

17. The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

18. The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing an alarm remotely to an authorized user.

19. The method of authenticating and monitoring drivers in claim 15, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

20. The method of authenticating and monitoring drivers in claim 16, wherein said step of generating an alarm signal includes providing a control signal that limits functionality within said motor vehicle.

ABSTRACT

A driver authentication and safety system and method for monitoring and controlling vehicle usage by high-risk drivers. A centralized database comprising a software application can be accessed by an authorized user via a data communications network utilizing a remote computer in order to configure a desired operating profile that matches requirements of the high-risk driver. The operating profile can be loaded to a driver identification and data logging device in conjunction with the remote computer. A master control unit receives a unique identification code from the data logging device to authenticate the high-risk driver and to operate the vehicle within the desired operating profile. A slave control unit receives commands from the master control unit and generates a real time alarm signal if the driver violates the preprogrammed operating profile unique to the driver.

1/8

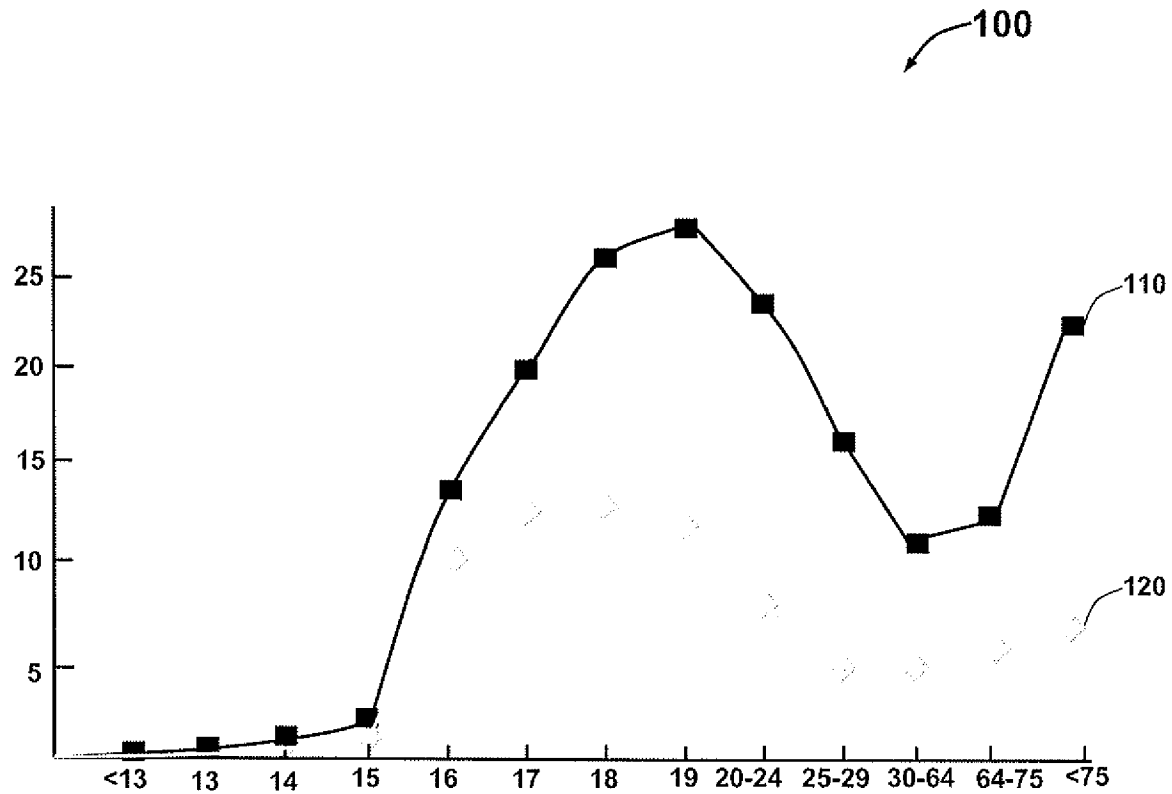


FIG. 1

2/8

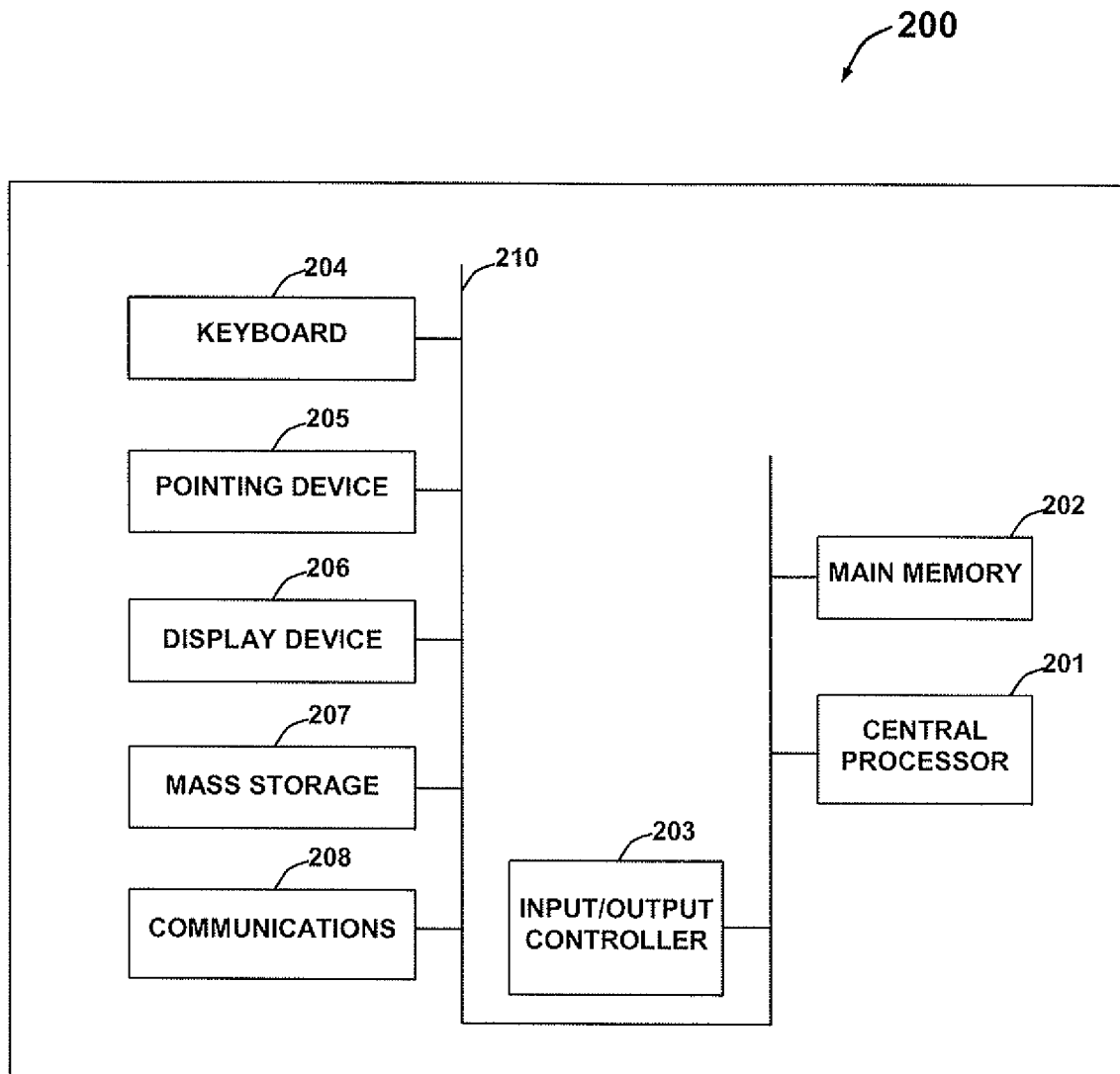


FIG. 2

3/8

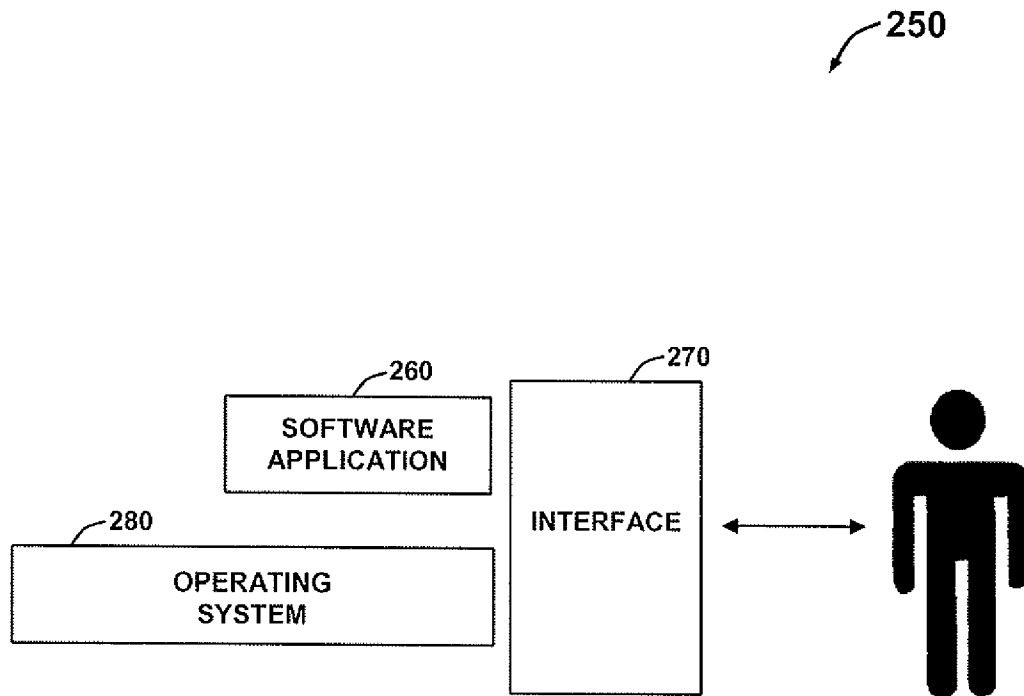


FIG. 3

4/8

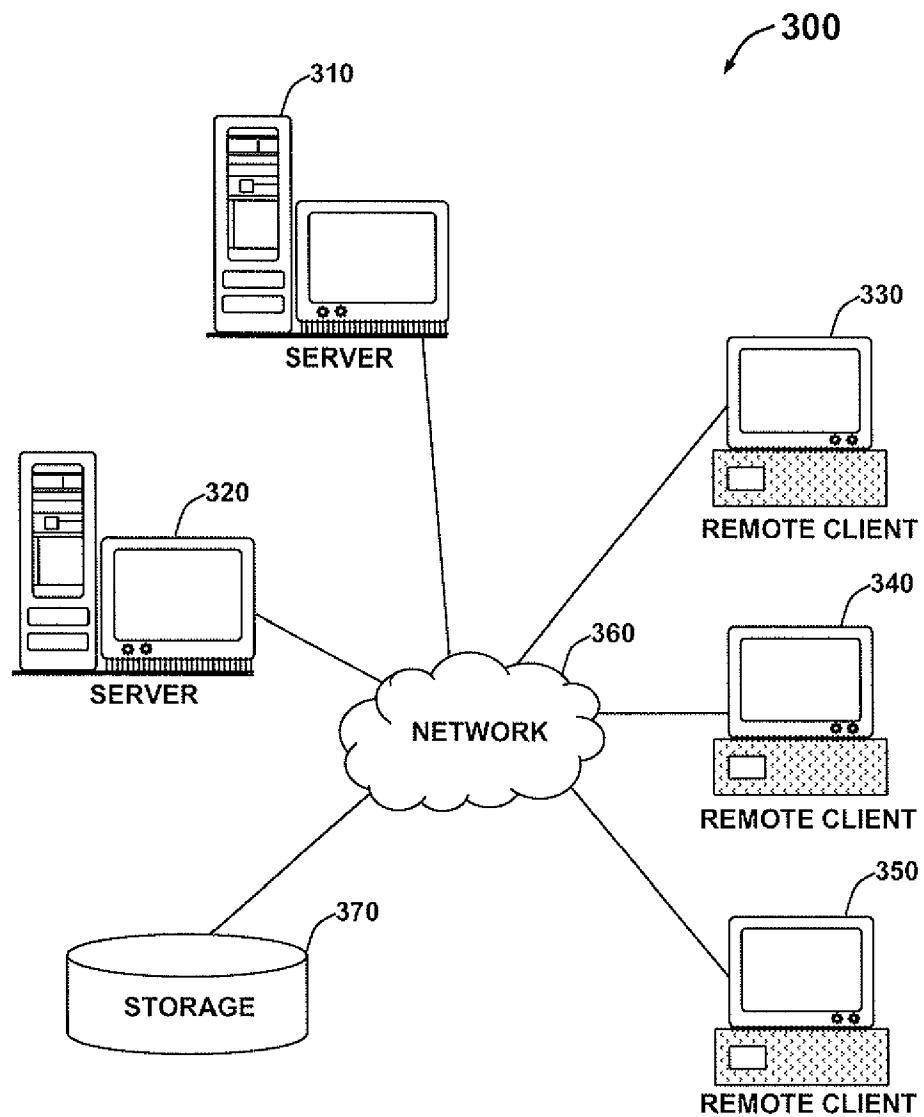


FIG. 4

5/8

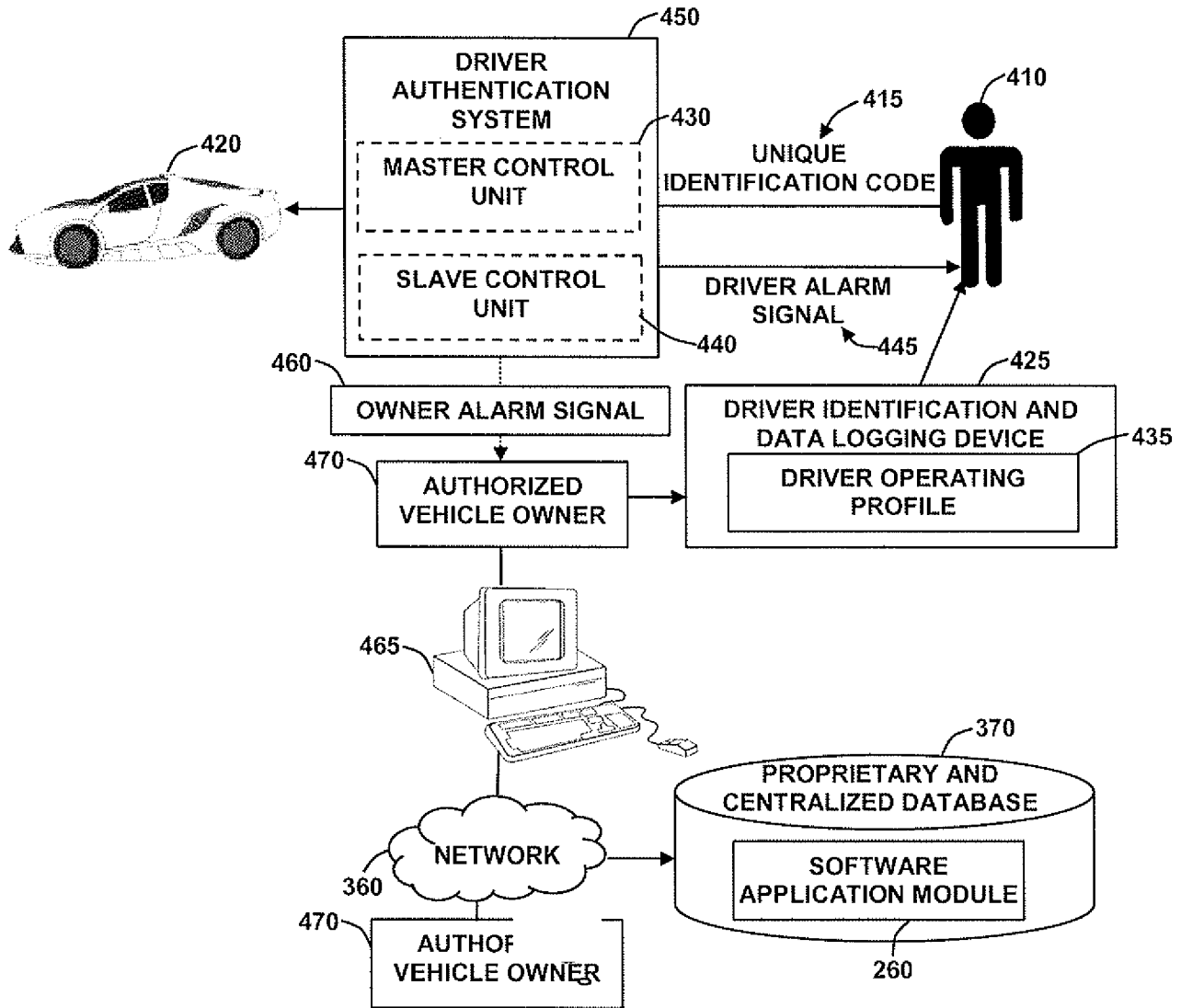


FIG. 5

6/8

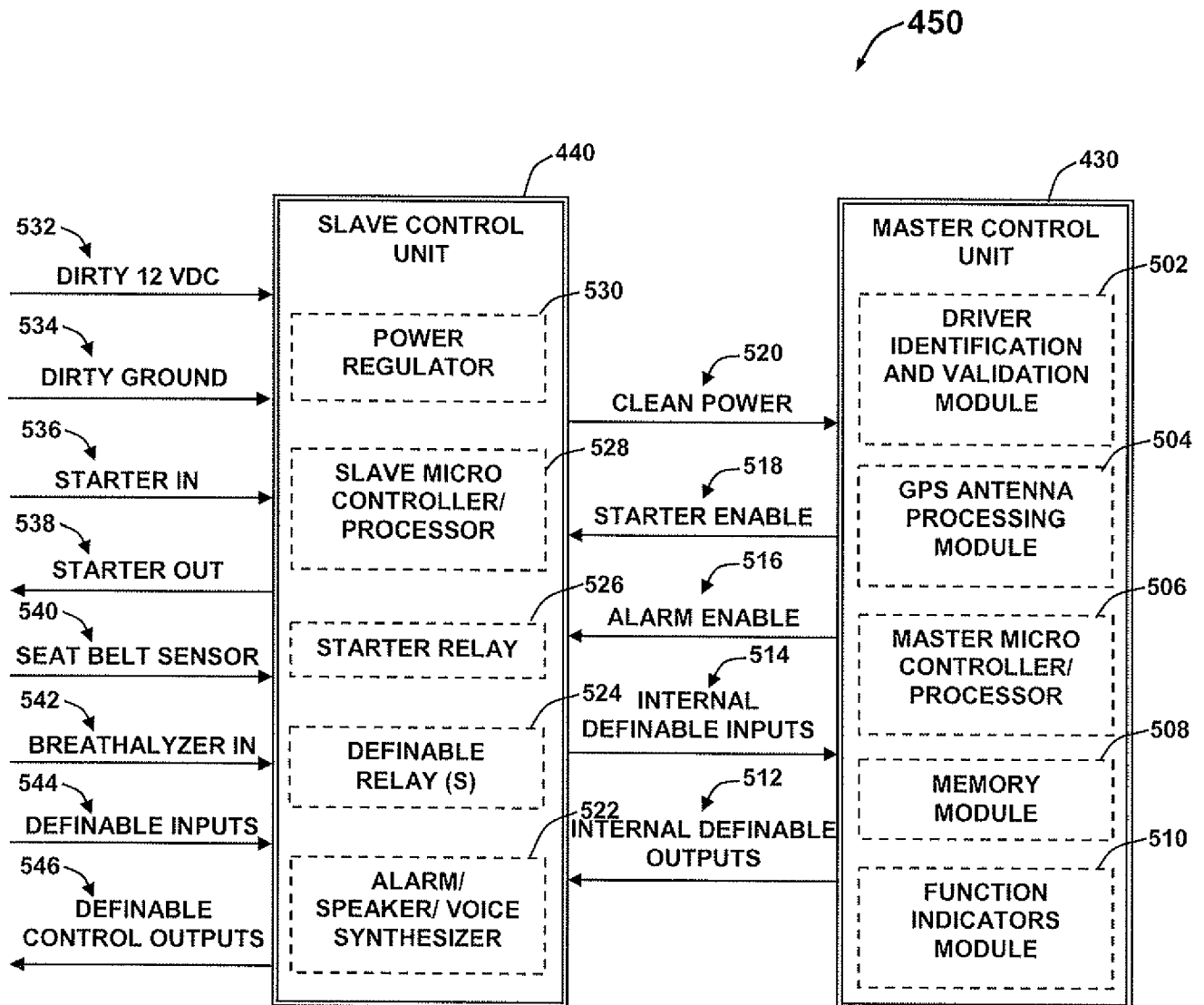


FIG. 6

7/8

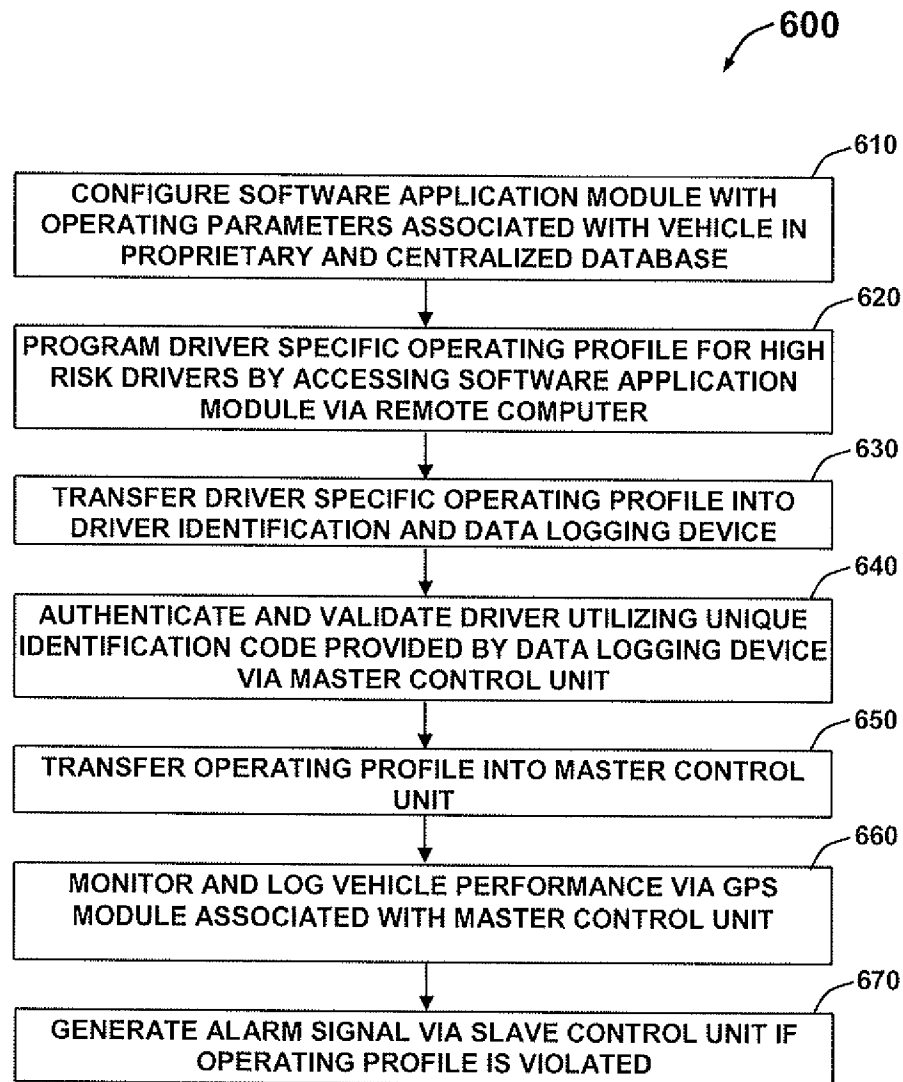


FIG. 7

8/8

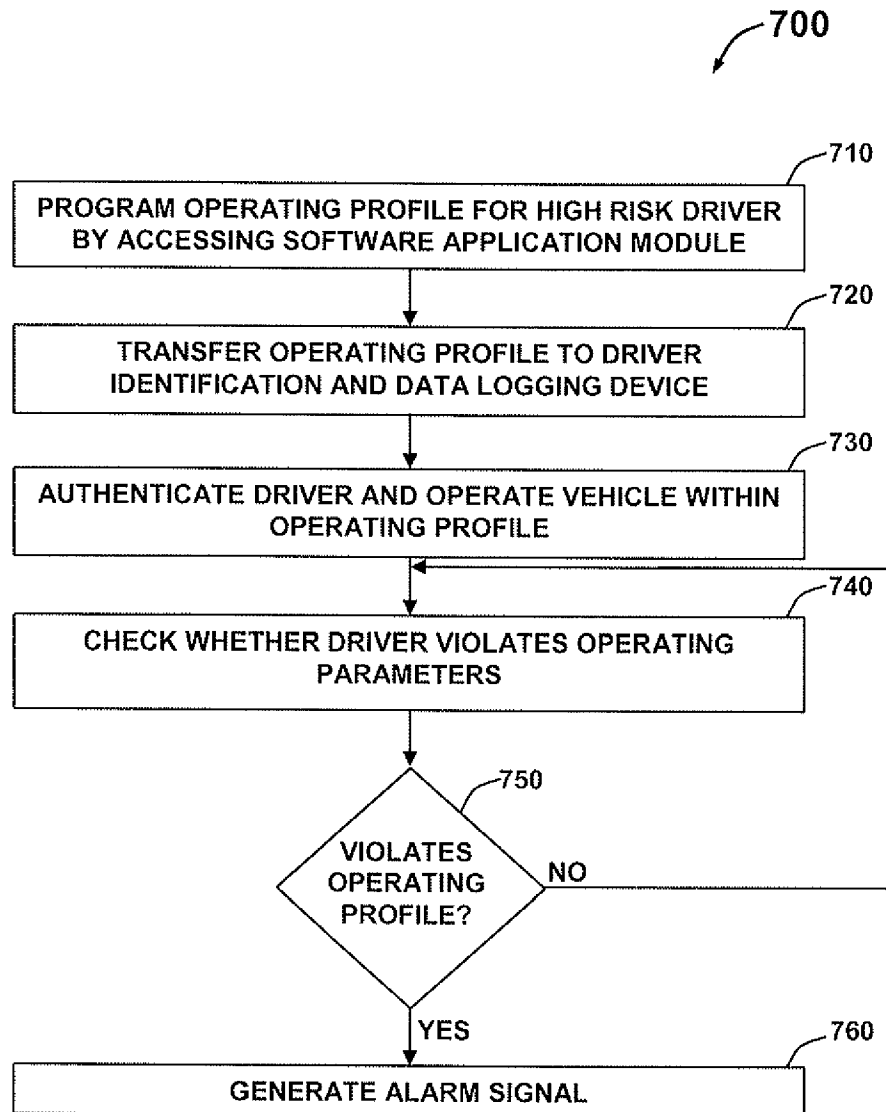


FIG. 8

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 13/858,930		Filing Date 04/08/2013		<input type="checkbox"/> To be Mailed	
ENTITY: <input type="checkbox"/> LARGE <input type="checkbox"/> SMALL <input checked="" type="checkbox"/> MICRO									
APPLICATION AS FILED – PART I									
(Column 1)			(Column 2)						
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)		FEE (\$)		
<input checked="" type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A		70		
<input checked="" type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A		150		
<input checked="" type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A		180		
TOTAL CLAIMS (37 CFR 1.16(i))		20 minus 20 =	* 0		x \$20 =		0		
INDEPENDENT CLAIMS (37 CFR 1.16(h))		3 minus 3 =	* 0		x \$105 =		0		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))									
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL		400		
APPLICATION AS AMENDED – PART II									
(Column 1)			(Column 2)		(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =			
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =			
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE			
(Column 1)			(Column 2)		(Column 3)				
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =			
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =			
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))								
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
						TOTAL ADD'L FEE			
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>									

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Page 170 of 170