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**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.

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wood, et al :  
Application No: 13/311,448 : Art Unit: TBD  
Filed: 12/05/11 : Examiner: TBD  
For: : Attorney Docket No: ENIT 9834C2  
BROADCAST ALERTING  
MESSAGE AGGREGATOR/  
GATEWAY SYSTEM AND  
METHOD

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

**PRELIMINARY AMENDMENT RESPONSE TO MISSING PARTS**

Sir:

In response to the Notice of Missing Part of December 21, 2011, please amend the application as follows and consider the remarks set forth below.

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

**Remarks** begin on page 3 of this paper.

## AMENDMENTS TO THE SPECIFICATION

Please replace the Abstract with the following paragraph rewritten in amendment format:

A message processing system and method for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system including a broadcast service bureau communicatively coupled for receiving from ~~one of a plurality of coupled broadcast agent access system systems~~ providing a broadcast request from an originating broadcast agent associated one broadcast agent message origination ~~systems. The systems;~~ the received broadcast request includes a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the broadcast service bureau ~~configured for~~ verifying the broadcast request as a function of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target ~~area. The area;~~ the broadcast service bureau processing the verified broadcast request for transmission to one or more broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13311448				
<b>Filing Date:</b>	05-Dec-2011				
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD				
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood				
<b>Filer:</b>	David L. Howard/Kim Adler				
<b>Attorney Docket Number:</b>	ENIT 9834C2				
Filed as Small Entity					
<b>Utility under 35 USC 111(a) Filing Fees</b>					
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>	
<b>Basic Filing:</b>					
<b>Pages:</b>					
<b>Claims:</b>					
<b>Miscellaneous-Filing:</b>					
Late filing fee for oath or declaration	2051	1	65	65	
<b>Petition:</b>					
<b>Patent-Appeals-and-Interference:</b>					
<b>Post-Allowance-and-Post-Issuance:</b>					
<b>Extension-of-Time:</b>					



Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
<b>Total in USD (\$)</b>				<b>65</b>

CONCLUSION

It is believed that all items addressed in the Notice of Missing Parts have been properly accommodated. Applicants therefore respectfully request that the Office examine the application as filed.

Other than the Missing Part fee of \$65 for the delayed filed inventor Declarations, Applicants believe that he does not owe any other fee in connection with this filing. If, however, Applicants do owe any such other fee, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 162201. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 162201.

Respectfully submitted,

Dated: 2/14/12

s/David L. Howard/

DAVID L. HOWARD  
Reg. No. 41,502  
POLSTER LIEDER WOODRUFF & LUCCHESI  
Suite 200  
12412 Powerscourt Drive  
St. Louis, MO 63131  
Tel: 314-238-2460  
Fax: 314-238-2401

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter that is claimed and for which a patent is sought on the invention entitled **BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD**, the specification of which was filed on December 5, 2011 as United States Application Number 13/311,448 and as attorney docket number ENIT 9834C2.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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 form 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.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional Applications listed below:

<u>60/544,739</u>	<u>2/13/04</u>
Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications listed below:

<u>12/559,405</u>	<u>9/14/09</u>	<u>Patented (Patent No. 8073903)</u>
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

11/057,704  
(Application No.)

2/14/05  
(Filing Date)

Patented (Patent No. 7752259)  
(Status - patented, pending, abandoned)

I hereby appoint the registered attorneys associated with **Customer Number 001688** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to **Customer Number 001688**.

Direct all telephone calls to David Howard at Telephone No: (314) 238-2400.

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 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First Inventor: Mark Andrew Wood

Inventor's Signature: [Signature] Date: 14/FEB/2011  
Residence: City of Haslemere, Surrey  
Citizenship: Great Britain  
Post Office Address: 8 Lion Lane, Haslemere, Surrey GB GU17 1JF

Full name of Second Inventor: Kevin Russell Preston

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: City of Gwent  
Citizenship: Great Britain  
Post Office Address: Nanty-Celstad Farm, Pennilwyn Lane Machen,  
Gwent GB CF83 8RL

Full name of Third Inventor: Douglas Weiser

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: City of New Port Richey, State of Florida  
Citizenship: US  
Post Office Address: 4218 Rudder Way, New Port Richey, FL 34652

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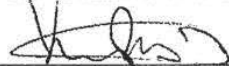
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Post Office Address: 3 Lion Lane, Haselmere, Surrey GB GU17 1JF

Full name of Second Inventor: Kevin Russell Preston

Inventor's Signature:  Date: 17/1/12  
Residence: City of Newport  
Citizenship: Great Britain  
Post Office Address: Stonegate, Glasllwch Lane  
Newport, NP20 3PR, UK

Full name of Third Inventor: Douglas Weiser

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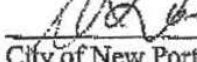
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Post Office Address: Nanty- Celslad Farm, Pennilwyn Lane Machen,  
Gwent GB CF83 8RL

Full name of Third Inventor: Douglas Weiser

Inventor's Signature:  \_\_\_\_\_ Date: 1/16/2012  
Residence: City of New Port Richey, State of Florida  
Citizenship: US  
Post Office Address: 4218 Rudder Way, New Port Richey, FL 34652



**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number  
13/311,448

**APPLICATION AS FILED - PART I**

(Column 1)		(Column 2)	SMALL ENTITY		OR	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	95		N/A	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	20 minus 20 = *	*	x 30 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*	x 125 =	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			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	530		TOTAL	

**APPLICATION AS AMENDED - PART II**

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	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	
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.



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

Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 13/311,448, 12/05/2011, 2617, 595, ENIT 9834C2, 20, 2

CONFIRMATION NO. 9039

UPDATED FILING RECEIPT



1688
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

Date Mailed: 02/24/2012

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

Applicant(s)

Mark Andrew Wood, Haslemere, UNITED KINGDOM;
Kevin Russell Preston, Newport, UNITED KINGDOM;
Douglas Weiser, New Port Richey, FL;

Assignment For Published Patent Application

ENVISIONIT LLC, St. Charles, MO

Power of Attorney: The patent practitioners associated with Customer Number 001688

Domestic Priority data as claimed by applicant

This application is a CON of 12/559,405 09/14/2009 PAT 8073903
which is a CON of 11/057,704 02/14/2005 PAT 7752259
which claims benefit of 60/544,739 02/13/2004

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

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: 12/16/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 13/311,448

Projected Publication Date: 06/07/2012

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

**Preliminary Class**

455

## **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 (1-866-999-4158).

### **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

page 2 of 3

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).

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### ***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 USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,448	12/05/2011	Mark Andrew Wood	ENIT 9834C2	9039
1688	7590	04/24/2012	EXAMINER	
Polster, Lieder, Woodruff & Lucchesi, L.C.			JOO, JOSHUA	
12412 Powerscourt Dr. Suite 200			ART UNIT	PAPER NUMBER
St. Louis, MO 63131-3615			2445	
			MAIL DATE	DELIVERY MODE
			04/24/2012	PAPER

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.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	13/311,448	WOOD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOSHUA JOO	2445	

**-- 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 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 05 December 2011.
- 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.

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on 05 December 2011 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).
- 12)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:  
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)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/5/11.
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_.



### ***Detailed Action***

Claims 1-20 are pending in the application.

### **Information Disclosure Statement**

The information disclosure statements (IDS) submitted on December 5, 2011 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the IDS are considered by the Examiner.

### **Double Patenting**

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 obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not 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 conflicting 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.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-13, 17-20 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 5, 7, and 9 of U.S. Patent No. 8,073,903 (Patent '903 hereinafter).

Although the conflicting claims are not identical, they are not patentably distinct from each other because as shown below, claim 1 of Patent '903 anticipates claim 1 of the instant application and claims 12-13, 17-20 are unpatentable as the claims are anticipated or obvious over claims of Patent '903.

<b>Instant Application</b>	<b>Patent '903</b>
1. A message alert broadcast broker system for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:	1. A message alert broadcast broker system for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:
a broadcast service bureau communicatively coupled for receiving from one of a plurality of coupled broadcast agent access systems providing a broadcast request from an originating broadcast agent associated one broadcast agent message origination systems, the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the broadcast service bureau configured for verifying the broadcast request as a function of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area,	a broadcast service bureau communicatively coupled for receiving from one of a plurality of coupled broadcast agent access systems providing a broadcast request from an originating broadcast agent associated one broadcast agent access system, the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, a broadcast message, and a broadcast channel code, the broadcast service bureau configured for verifying the broadcast request as a function of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area using the broadcast channel code,
the broadcast service bureau processing the verified broadcast request for transmission to one or more broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area.	the broadcast service bureau processing the verified broadcast request for transmission to one or more mobile telephone networks providing service to at least a portion of the broadcast target area of the broadcast request.

Regarding claims 2, 4, 6, 8-10, 12, 17-18, and 20, the claims are rejected by claims 1-3, 5, 7, and 9 of Patent '903.

Regarding claims 3, 5, 7, and 11, claim 1 of Patent '903 discloses that the broadcast message networks includes a mobile wireless carrier network. Patent '903 does not disclose the other types of networks, wireless Wi-Fi network, digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system, recited in claims 3, 5, 7, and 11. However, the



networks are well known in the art and it would have been obvious to one of ordinary skill in the art to enable selection from the networks to reach a greater a number of devices.

Regarding claim 13, claim 9 of Patent '903 discloses that the broadcast request includes one or more channel codes that identifies a language, i.e. language identifier, but does not recite selecting from message recall, network selector, and request for message progress status. However, it would have been obvious to one of ordinary skill in the art to select from message recall, network selector, and request for message progress status to provide different purposes for the broadcast message.

Regarding claim 19, the claim is a method that corresponds to the system of claim 1. Therefore, the claim is not rejected under a similar rational.

Claim 14 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of Patent '903, in view of Atkin et al. US Publication No. 2004/0192258 (Atkin hereinafter).

As per claim 14, Patent '903 does not disclose the system of claim 1 wherein the broadcast message of the broadcast request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast request includes a second broadcast message in a second language, and wherein the broadcast service bureau is configured to transmit the broadcast request including at least one of the first broadcast message in the first language and the second broadcast message in the second language.

Aktin discloses a broadcast message a the broadcast request that is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast request includes a second broadcast message in a second language, and wherein a broadcast service bureau is configured to transmit

the broadcast request including at least one of the first broadcast message in the first language and the second broadcast message in the second language (Paragraph 0032). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Aktin's teachings, which would have improved broadcasting by being able to communicate notifications to a greater audience

Claims 15-16 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of Patent '903, in view of Vella et al. US Publication No. 2004/0103158.

Regarding claim 15-16, claims of patent '903 do not disclose that the broadcast message is a multimedia message and includes at least one of a photograph and a map. Vella discloses a broadcast message that is a multimedia message and includes at least one of a photograph and a map (Paragraphs 0052, 0063). it would have been obvious to one of ordinary skill in the art to include a photograph to enable different ways to present information to users.

Claims 1 and 19 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 10 of U.S. Patent No. 7,752,259 (Patent '903 hereinafter).

<b>Instant Application</b>	<b>Patent '259</b>
1. A message alert broadcast broker system for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:	1. A public service message broadcast system providing a broadcast message to a broadcast target area, the system comprising:
a broadcast service bureau communicatively coupled for receiving from one of a plurality of coupled broadcast agent access systems providing a broadcast request from an originating broadcast agent associated one broadcast agent message origination systems, the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the broadcast service bureau configured for verifying the broadcast request as a function of	a broadcast service bureau communicatively coupled to said carrier broadcast center and said broadcast agent access device, said broadcast service bureau configured for receiving the broadcast agent input including the geographically defined broadcast target area and the broadcast message from the broadcast agent access device and transmitting the broadcast message and the broadcast target area to the carrier broadcast server center,

the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area,	wherein the broadcast service bureau verifies an authority of the broadcast agent to transmit the broadcast message to the broadcast target area as a function of a broadcast message jurisdiction of the broadcast agent including the defined broadcast target area.
the broadcast service bureau processing the verified broadcast request for transmission to one or more broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area.	10. The system of claim 1 wherein the carrier broadcast service bureau further includes a distributor receiving the broadcast message and broadcast target area and maps the broadcast target area to determine which one or more broadcast distribution networks from among a plurality of broadcast distribution networks provide broadcast distribution systems serving the broadcast target area, and wherein the distributor identifies the broadcast distribution networks for the broadcast target area and determines whether the broadcast distribution network has its own carrier broadcast center.

Regarding claim 19, the claim is a method that corresponds to the system of claim 1. Therefore, the claim is not rejected under a similar rational.

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 12, 15-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vella et al. US Publication No. 2004/0103158 (Vella hereinafter), in view of Allport, US Patent No. 6,480,578 (Allport hereinafter).

As per claim 1, Vella teaches substantially the invention as claimed including a message alert broadcast broker system for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:

a broadcast service bureau communicatively coupled for receiving from one of a plurality of coupled broadcast agent access systems providing a broadcast request from an originating broadcast agent associated one broadcast agent message origination systems, the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message (Paragraphs 0049, 0051. Receive location and inputted text for alert message. Paragraphs 0055-0056. Select location and provide identification.).

the broadcast service bureau configured for verifying as a function of the broadcast agent identification including an authority of the originating broadcast agent (Paragraph 0056. Verify alert originator's authority.),

the broadcast service bureau processing the verified broadcast request for transmission to one or more broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area (Paragraph 0079. Sends formatted messages to public network.).

Vella does not specifically teach the broadcast service bureau configured for verifying the broadcast request as a function of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area.

Allport discloses a system for broadcasting messaging comprising a broadcast service bureau configured for verifying a broadcast request as a function of a broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area (col. 13, lines 10-22; col. 14, lines 45-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the broadcast service bureau of Vella to be configured for verifying a

broadcast request as a function of a broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area as disclosed by Allport. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Allport, which similarly deals with broadcasting messaging, would have improved security by allowing authorized parties to send certain notifications and provided the benefit of a timely and cost effective means to notify people within geographic regions (col. 2, lines 56-61). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 19, Vella teaches substantially the invention as claimed including a method of public service broadcast messaging to a broadcast target area, the method comprising:

receiving over an input interface a broadcast request including a broadcast agent identification, a geographically defined broadcast target area, and a broadcast message from one of a plurality of coupled broadcast agent message origination systems (Paragraphs 0049, 0051. Select location and input text for alert message. Paragraphs 0055-0056. Select location and provide identification.);

verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent (Paragraph 0056. Verify alert originator's authority.); and

transmitting the broadcast message over an output interface to one or more coupled broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area (Paragraph 0079. Sends formatted messages to public network.).

Vella discloses verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent but not specifically to send the broadcast message to the broadcast target area.

Allport discloses an invention for broadcasting messaging comprising verifying an authority of a broadcast agent identification including an authority of an originating broadcast agent to send a broadcast message to the broadcast target area (col. 13, lines 10-22; col. 14, lines 45-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to verify an authority of the broadcast agent identification including an authority of an originating broadcast agent to send a broadcast message to the broadcast target area as disclosed by Allport. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Allport, which similarly deals with broadcasting messaging, would have improved security by allowing authorized parties to send certain notifications and provided the benefit of a timely and cost effective means to notify people within geographic regions (col. 2, lines 56-61). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 2, Vella in view of Allport teach the system of claim 1 wherein the broadcast service bureau is configured for receiving the broadcast request, and identifying the one or more broadcast message networks providing message alerting service to at least a portion of the broadcast target area (Paragraph 0079. Send message to public network. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

As per claim 3, Vella in view of Allport teach the system of claim 2 wherein the one or more message broadcast message networks includes at least one selected from the group consisting of wireless mobile carrier network, wireless Wi-Fi network, digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system (Paragraph 0079. Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

As per claim 4, Vella in view of Allport teaches the system of claim 1 wherein the broadcast service bureau further includes a distributor receiving the broadcast message and broadcast target area and mapping the broadcast target area to determine which one or more of the broadcast message networks from among a plurality of broadcast message networks has a broadcast message distribution system serving at least a portion of the broadcast target area, and wherein the distributor identifies the one or more broadcast message networks (Paragraphs 0053, 0066. Determine relevant cellular carriers servicing recipients in the location.).

As per claim 5, Vella in view of Allport teach the system of claim 4 wherein the one or more message broadcast message networks includes at least one selected from the group consisting of wireless mobile carrier network, wireless Wi-Fi network, digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system (Paragraph 0079. Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

As per claim 6, Vella in view of Allport teach the system of claim 1 wherein the broadcast service bureau includes an output interface for coupling to one of the one or more broadcast message networks providing message alerting service to at least a portion of the broadcast target area (Fig. 3; Paragraph 0079. Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

As per claim 7, Vella in view of Allport teach the system of claim 6 wherein the output interface is configured to interface with a message broadcast message network selected from the group consisting of wireless mobile carrier network, wireless Wi-Fi network, digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system (Paragraph 0079. Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

As per claim 8, Vella does not specifically teach the system of claim 1 wherein the broadcast service bureau verifies an authority of the broadcast agent to transmit the broadcast message to the broadcast target area as a function of a broadcast message jurisdiction stored in the broadcast service bureau for the originating broadcast agent, the verifying ensuring that the broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area.

Allport discloses a system for broadcasting messaging comprising a broadcast service bureau that verifies an authority of the broadcast agent to transmit a broadcast message to a broadcast target area as a function of a broadcast message jurisdiction stored in the broadcast service bureau for the originating broadcast agent, the verifying ensuring that the broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area (col. 13, lines 10-22; col. 14, lines 45-49).



It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the above teachings of Allport to the system of Vella. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Allport, which similarly deals with broadcasting messaging, would have improved security by allowing authorized parties to send certain notifications and provided the benefit of a timely and cost effective means to notify people with geographic regions (col. 2, lines 56-61).

As per claim 12, Vella does not specifically teach the system of claim 1 wherein the broadcast request includes a message type identifying the type of message of the broadcast message request.

Allport discloses a system for broadcasting messaging wherein a broadcast request includes a message type identifying the type of message of the broadcast message request (col. 12, lines 40-51, 66- col. 13, line 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the broadcast request includes a message type identifying the type of message of the broadcast message request as disclosed by Allport. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Allport similarly deals with broadcasting messaging and would have improved security by providing timely and cost effective means to notify people of situations (col. 2, lines 56-61).

As per claim 15, Vella in view of Allport teach the system of claim 1 wherein the broadcast message is a multimedia message (Paragraphs 0052, 0063. Include image data.).

As per claim 16, Vella in view of Allport teach the system of claim 15 wherein the multimedia message includes at least one of a photograph and a map (Paragraphs 0052, 0063. Include image data.).

As per claim 17, Vella does not specifically teach the system of claim 1 wherein the broadcast request includes a message type.

Allport discloses a system for broadcasting messaging wherein a broadcast request includes a message type identifying the type of message of the broadcast message request (col. 12, lines 40-51, 66- col. 13, line 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the broadcast request includes a message type identifying the type of message of the broadcast message request as disclosed by Allport. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Allport similarly deals with broadcasting messaging and would have improved security by providing timely and cost effective means to notify people of situations (col. 2, lines 56-61).

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vella, in view of Allport and Kolsrud, US Publication No. 2004/0203562 (Kolsrud hereinafter).

As per claim 9, Vella in view of Allport teach the system of claim 6 wherein the output interface is configured for interfacing with a carrier broadcast center of a wireless mobile carrier network (Vella: Fig. 3). Vella does not specifically teach the carrier broadcast center converting the broadcast target area to network addresses of wireless transmission devices serving the broadcast target area including determining particular wireless network transmission devices serving at least a portion of the broadcast target area, and identifying the network addresses for each determined particular wireless transmission device and transmitting the broadcast message to the network addresses of the particular wireless transmission devices for wireless transmission by the particular wireless transmission devices to user receiving devices.

Kolsrud discloses a system for broadcasting message comprising a carrier broadcast center converting a broadcast target area to network addresses of wireless transmission devices serving the broadcast target area including determining particular wireless network transmission devices serving at least a portion of the broadcast target area, and identifying the network addresses for each determined particular wireless transmission device and transmitting the broadcast message to the network addresses of the particular wireless transmission devices for wireless transmission by the particular wireless transmission devices to user receiving devices (Paragraphs 0017, 0020).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the above teachings of Kolsrud to the system of Vella. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Kolsrud similarly deals with broadcasting messaging and would have similarly provided the benefit of efficiently distributing emergency messages to a mass number of people (Paragraph 0007). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 10, Vella does not specifically teach the system of claim 9 wherein the wireless transmission devices serving the broadcast target area and the particular wireless transmission devices are wireless cellular network transmitters and each of the wireless cellular network transmitters has a cell id network address and the identified network addresses are cell id network addresses.

Kolsrud discloses a system for broadcasting message wherein wireless transmission devices serving a broadcast target area and particular wireless transmission devices are wireless cellular network

transmitters and each of the wireless cellular network transmitters has a cell id network address and the identified network addresses are cell id network addresses (Paragraphs 0017, 0020).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the above teachings of Kolsrud to the system of Vella. One of ordinary skill in the art would have been motivated to combine the teachings as Vella discloses that changes made be made without departing from scope. Kolsrud similarly deals with broadcasting messaging and would have similarly provided the benefit of efficiently distributing emergency messages to a mass number of people (Paragraph 0007). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 11, Vella in view of Allport and Kolsrud teach the system of claim 9 wherein the wireless transmission devices serving the broadcast target area and the particular wireless transmission devices are Wi-Fi network transmitters, each of the Wi-Fi network transmitters having a Wi-Fi id network address, wherein the identified network addresses are Wi-Fi id network addresses (Paragraph 0079. Send message to public network, Internet. Paragraph 0080. Send message to SMS server 355/357 of cellular carriers.).

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vella, in view of Allport and Atkin.

As per claim 13, Vella does not specifically teach the system of claim 1 wherein the broadcast request includes a broadcast message that is an alerting system administrative message selected from the

group consisting of: message recall, language identifier, network selector, and request for message progress status.

Atkin discloses a system for broadcasting messages, wherein a broadcast message is an alerting system administrative message selected from the group consisting of: message recall, language identifier, network selector, and request for message progress status (Paragraphs 0031, 0035, 0037).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to include in the request of Vella a broadcast message that is an alerting system administrative message selected from the group consisting of: message recall, language identifier, network selector, and request for message progress status as disclosed by Atkin. One of ordinary skill in the art would have been motivated to combine the teachings as Atkin similarly discloses a system for broadcast messaging and would have improved broadcasting notification in Atkin by providing messages that would enable recipients to understand emergency warning messages (Paragraphs 0002). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 14, Vella does not specifically teach the system of claim 1 wherein the broadcast message of the broadcast request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast request includes a second broadcast message in a second language, and wherein the broadcast service bureau is configured to transmit the broadcast request including at least one of the first broadcast message in the first language and the second broadcast message in the second language.

Atkin discloses a system for broadcasting messages, wherein a broadcast message of a broadcast request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast request includes a second broadcast message in a second language, and wherein the broadcast service bureau is configured to transmit the broadcast request including at least one of the first broadcast message in the first language and the second broadcast message in the second language (Paragraphs 0032, 0038).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to include the above teachings of Atkin to the system of Vella. One of ordinary skill in the art would have been motivated to combine the teachings as Atkin similarly discloses a system for broadcast messaging and would have improved broadcasting notification in Atkin by providing messages that would enable recipients to understand emergency warning messages (Paragraphs 0002).

Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vella, in view of Allport and Zimmers et al. US Publication No. 2005/0013417 (Zimmers hereinafter).

As per claim 18, Vella teaches the system of claim 17 wherein the broadcast service bureau is coupled to a plurality of broadcast message networks, and is configured to select the one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of the broadcast target area (Paragraphs 0053, 0066. Determine relevant cellular carriers servicing recipients in the location.) but not specifically responsive to at least of the message type.

Zimmers discloses of selecting one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of a message type and target area (Paragraphs 0087, 0090-0091).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to select one or more broadcast message networks from among the plurality of

coupled broadcast message networks responsive to at least of a message type and target area as disclosed by Zimmers. One of ordinary skill in the art would have been motivated to combine the teachings as Zimmers similarly discloses a system for broadcast messaging and would have improved broadcasting notification in Atkin by similarly “intelligently” providing notifications and repeat notifications based on different factors such as responses by recipients or expiring of an emergency (Paragraph 0020). Furthermore, it would have been obvious to combine the teachings as all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art.

As per claim 20, Vella teaches the method of claim 19 wherein the broadcast request includes a message type, further comprising: selecting the one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of the message type and the broadcast target area (Paragraphs 0053, 0066. Determine relevant cellular carriers servicing recipients in the location.). Vella does not specifically teach that the request includes a message type and selecting responsive to at least of the message type

Zimmers discloses of selecting one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of a message type and target area (Paragraphs 0087, 0090-0091).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to select one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to at least of a message type and target area as disclosed by Zimmers. One of ordinary skill in the art would have been motivated to combine the teachings as Zimmers similarly discloses a system for broadcast messaging and would have improved broadcasting

notification in Atkin by similarly “intelligently” providing notifications and repeat notifications based on different factors such as responses by recipients or expiring of an emergency (Paragraph 0020).

### **Conclusion**

Examiner has cited particular sections of the reference(s) that are applied to the claims. While the sections are cited for convenience and are representative of the teachings of the prior art, other sections of the reference(s) may be relevant and applicable to the claims. It is respectfully requested that Applicant fully consider the reference(s) in its entirety when responding to the Office action.

A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7:30AM to 4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Lynn Feild can be reached on 571 272-2092. 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).



Application/Control Number: 13/311,448  
Art Unit: 2445

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/Joshua Joo/  
Primary Examiner, Art Unit 2445

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S4	11973	broadcast\$3 near10 (emergency alarm\$3 alert\$3 message\$1 notification\$1) same (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:53
S5	3043178	(authority authoriz\$3 authorization permit\$4 permission verif\$4 verification privileg\$4)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:54
S7	1156	S4 same S5	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:54
S8	35689	709/203-207.ccls.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:54
S9	48	S7 and S8	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:54
S10	116	"709"/\$.ccls. and S7	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:55
S12	3828	455/403-404.1.ccls.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:55
S13	43	S7 and S12	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 11:55
S14	362564	(authority authoriz\$3 authorization permit\$4 permission verif\$4 verification	US-PGPUB;	OR	OFF	2012/04/19 12:01

## EAST Search History

		privileg\$4) with (location\$1 area\$1 region\$1)	USPAT; EPO; JPO; IBM_TDB			
S15	426	S4 same S14	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:01
S20	386	S7 and emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:02
S21	50	S4 same jurisdiction	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:22
S22	347198	(authority authoriz\$3 authorization permit\$4 permission verif\$4 verification privileg\$4) near10 (user requester official person agent)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:33
S23	189	S4 same S22	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:33
S24	54	S23 and emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:35
S25	283203	(authority authoriz\$3 authorization permit\$4 permission verif\$4 verification privileg\$4) near10 (area\$1 region\$1 location\$1)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:43
S26	285	S4 same S25	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:43
S27	18178	emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 12:43
S28	108	S26 and S27	US- PGPUB;	OR	OFF	2012/04/19 12:43

## EAST Search History

			USPAT; EPO; JPO; IBM_TDB			
S29	5312	broadcast\$3 near10 (emergency alarm\$3 alert\$3 message\$1 notification\$1) near10 (area region location)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:18
S30	73574	(authority authoriz\$3 authorization permission verif\$4 verification privileg\$4) near10 (area\$1 region\$1 location\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:18
S31	99	S29 same S30	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:18
S32	41343	(authority authoriz\$3 authorization permission verif\$4 verification privileg\$4) near10 (city state country)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:29
S33	57910	broadcast\$3 near10 (emergency alarm\$3 alert\$3 message\$1 notification\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:29
S34	106	S32 same S33	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 13:29
S35	3433	(authority authoriz\$3 authorization permission verif\$4 verification privileg\$4) near10 (national regional)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:12
S36	21	S35 same S33	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:12
S37	111077	(authority credential\$1 authoriz\$3 authorization permission verif\$4 verification privileg\$4) near10 (area\$1 region\$1 location\$1 city state national regional)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:31
S38	8957	broadcast\$3 near10 (emergency alarm\$3 alert\$3)	US-PGPUB;	OR	OFF	2012/04/19 14:31

## EAST Search History

			USPAT; EPO; JPO; IBM_TDB			
S39	1133	S37 and S38	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:31
S40	98	"709"/\$.ccls. and S39	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:31
S41	221	"455"/\$.ccls. and S39	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:32
S42	306	S40 S41	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 14:32
S52	271	broadcast\$3 near10 (messag\$3 notification\$1 emergency alarm\$3 alert\$3) same language\$1 and broadcast\$3 near10 (emergency alarm\$3 alert\$3 warn\$3)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 17:07
S54	82	broadcast\$3 near10 (messag\$3 notification\$1 emergency alarm\$3 alert\$3) same (different multiple plurality) near2 languages	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/19 17:29
S57	815	(authority authoriz\$3 authorization permit\$4 permission authenticat\$4 verification privileg\$4) with (location\$1 area\$1 region\$1 geographic\$4) same (send\$3 transmit\$4) near10 (alert\$3 alarm\$3 message\$1 notification\$1) near10 (area region city country)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 14:10
S58	98	"709"/\$.ccls. and S57	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 14:10
S59	235	"455"/\$.ccls. and S57	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 14:16
S60	18178	emergenc\$3 near5 (messag\$3	US-	OR	OFF	2012/04/20


		notification\$1 warn\$3 alert\$3)	PGPUB; USPAT; EPO; JPO; IBM_TDB			14:50
S61	2206	(authority authoriz\$3 authorization permit\$4 permission authenticat\$4 verification privileg\$4) near10 (location\$1 area\$1 region\$1 geographic\$4) same (send\$3 transmit\$4) near10 (alert\$3 alarm\$3 message\$1 notification\$1) near10 (location\$1 area region geographic\$4 city country)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 14:51
S62	209	S60 and S61	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 14:51
S68	50	("20020095333"   "20020107016"   "20020124252"   "20030026240"   "20030134622"   "20030134651"   "20030137415"   "20030143974"   "20030145064"   "20030197615"   "20040103158"   "20040150518"   "20040152493"   "20040203562"   "20040247086"   "20040259568"   "20050030977"   "20050096065"   "20050162267"   "20050261012"   "4415771"   "5278539"   "5592172"   "5893091"   "6021177"   "6084510"   "6112075"   "6169476"   "6219696"   "6240360"   "6346890"   "6463273"   "6480578"   "6490525"   "6493633"   "6580916"   "6650902"   "6683526"   "6745021"   "6751455"   "6753784"   "6785551"   "6867688"   "6882837"   "6947754"   "7049971"   "7184744"   "7194249").PN. OR ("7752259").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2012/04/20 15:19
S70	33	S68 and (authority authoriz\$3 authorization permit\$4 permission authenticat\$4 verification privileg\$4)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 15:19
S71	8	S68 and validat\$5	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/20 15:33
S75	212	emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3) and (request\$3 message\$1) near10 channel near2 (type\$1 code\$1)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/21 12:46
S81	153	emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3) same (request\$3 message\$1) near5 (indicat\$4 specif\$4 identif\$4) near10 type\$1 near2	US- PGPUB; USPAT; EPO;	OR	OFF	2012/04/21 13:03

		(network message notification\$1)	JPO; IBM_TDB			
S82	119	broadcast\$3 same emergenc\$3 near5 (messag\$3 notification\$1 warn\$3 alert\$3) same (request\$3 message\$1) near10 type\$1 near2 (network message notification\$1)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/21 13:05
S84	143	broadcast\$3 same emergenc\$3 near10 (messag\$3 warn\$3 notification\$3 alert\$3) and request\$3 near10 (broadcast\$3 notification\$1 message\$1) same type near5 (alert\$3 broadcast\$3 notification\$1 messag\$3 warn\$3)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 08:41
S85	18	mark near2 andrew near2 wood.in.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 08:42
S86	18	kevin near2 russell near2 preston.in.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 08:42
S87	21	douglas near2 weiser.in.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 08:42
S88	18	envisionit.as.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 08:46
S89	27	("4415771" "5278539" "5592172" "6021177" "6084510" "6112075" "6169476" "6219696" "6240360" "6346890" "6463273" "6480578" "6490525" "6493633" "6580916" "6650902" "6683526" "6745021" "6751455" "6753784" "6785551" "6867688" "6882837" "6947754" "4887308" "6721542" "6766163").pn.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 09:13
S90	16	("20020107016" "20020124252" "20020095333" "20030026240" "20030134622" "20030134651" "20030137415" "20030197615" "20030145064" "20040150518" "20040152493" "20040247086" "20050030977" "20050162267" "20050096065" "20050261012").pn.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/04/23 09:23

4/ 23/ 2012 9:27:13 AM

C:\Users\jjoo\Documents\EAST\Workspaces\13311448.wsp



<b>Search Notes</b> 	<b>Application/Control No.</b> 13311448	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

SEARCHED			
Class	Subclass	Date	Examiner
709	203-207	4/23/2012	/JJ/
455	403-404.1	4/23/2012	/JJ/

SEARCH NOTES		
Search Notes	Date	Examiner
Searched in EAST and searched classes/subclasses with keyword combinations. See attached search history.	4/23/2012	/JJ/
Performed Inventor search in PALM and EAST.	4/23/2012	/JJ/
Performed Assignee search in EAST.	4/23/2012	/JJ/

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

	/J.J./ Primary Examiner. Art Unit 2445
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CONFIRMATION NO. 9039

<b>SERIAL NUMBER</b> 13/311,448	<b>FILING or 371(c) DATE</b> 12/05/2011 <b>RULE</b>	<b>CLASS</b> 709	<b>GROUP ART UNIT</b> 2445	<b>ATTORNEY DOCKET NO.</b> ENIT 9834C2		
<b>APPLICANTS</b> Mark Andrew Wood, Haslemere, UNITED KINGDOM; Kevin Russell Preston, Newport, UNITED KINGDOM; Douglas Weiser, New Port Richey, FL; <b>** CONTINUING DATA *****</b> This application is a CON of 12/559,405 09/14/2009 PAT 8,073,903 which is a CON of 11/057,704 02/14/2005 PAT 7,752,259 which claims benefit of 60/544,739 02/13/2004 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **</b> 12/16/2011						
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>/JOSHUA JOO/</u> Examiner's Signature		<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> UNITED KINGDOM	<b>SHEETS DRAWINGS</b> 11	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 2
<b>ADDRESS</b> Polster, Lieder, Woodruff & Lucchesi, L.C. 12412 Powerscourt Dr. Suite 200 St. Louis, MO 63131-3615 UNITED STATES						
<b>TITLE</b> BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD						
<b>FILING FEE RECEIVED</b> 595	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			

<b><i>Index of Claims</i></b> 	<b>Application/Control No.</b> 13311448	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

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

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE									
Final	Original	04/21/2012									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
	6	✓									
	7	✓									
	8	✓									
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	15	✓									
	16	✓									
	17	✓									
	18	✓									
	19	✓									
	20	✓									

<b>Notice of References Cited</b>	Application/Control No. 13/311,448	Applicant(s)/Patent Under Reexamination WOOD ET AL.	
	Examiner JOSHUA JOO	Art Unit 2445	Page 1 of 1

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*	B US-2004/0103158	05-2004	Vella et al.	709/206
*	C US-2004/0192258	09-2004	Atkin et al.	455/412.1
*	D US-2005/0013417	01-2005	Zimmers et al.	379/037
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

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	N				
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	S				
	T				

**NON-PATENT DOCUMENTS**

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

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

13311448 - GAI: 2445

Approved for use through 07/31/2012. OMB 0651-0031  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2011-12-05
	First Named Inventor	Wood, et al.	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		ENIT 9834C2

U.S. PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		13311448 - GAU: 2445	
	Filing Date		2011-12-05	
	First Named Inventor	Wood, et al.		
	Art Unit			
	Examiner Name			
	Attorney Docket Number		ENIT 9834C2	

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	10	6346890	B1	2002-02-12	Belin	
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	12	6480578	B1	2002-11-12	Allport	
	13	6490525	B2	2002-12-03	Baron, Sr. et al.	
	14	6493633	B2	2002-12-10	Baron, Sr. et al.	
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		13311448 - GAU: 2445		
	Filing Date		2011-12-05		
	First Named Inventor	Wood, et al.			
	Art Unit				
	Examiner Name				
	Attorney Docket Number		ENIT 9834C2		

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	21	6785551	B1	2004-08-31	Richard	
	22	6867688	B2	2005-03-15	Lamb	
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	1	20020107016	A1	2002-08-08	Hanley	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		13311448 - GAU: 2445	
	Filing Date		2011-12-05	
	First Named Inventor	Wood, et al.		
	Art Unit			
	Examiner Name			
	Attorney Docket Number		ENIT 9834C2	

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	2	10336127	JP		1998-12-18			<input type="checkbox"/>
	3	441719	JP		1999-09-28			<input type="checkbox"/>
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Name/Print	David L. Howard	Registration Number	41502

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	1	441720	JP		2000-08-18			<input type="checkbox"/>
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	5	0145061	WO		2001-06-21			<input type="checkbox"/>
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	1	3rd Generation Partnership Project TS 23.246, Release 6, September 2004	<input type="checkbox"/>
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18	International Search Report, date of mailing July 17, 2006 received from the International Searching Authority	<input type="checkbox"/>
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23	News from Senator John Edwards, North Carolina, April 3, 2003, Senate Okays Edwards Emergency Warning Bill, <a href="http://www.ceasa.us/news.htm">www.ceasa.us/news.htm</a>	<input type="checkbox"/>
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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.
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.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.J./



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/311,448	12/05/2011	Mark Andrew Wood	ENIT 9834C2

**CONFIRMATION NO. 9039**

1688  
Polster, Lieder, Woodruff & Lucchesi, L.C.  
12412 Powerscourt Dr. Suite 200  
St. Louis, MO 63131-3615

**PUBLICATION NOTICE**



**Title:**BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

**Publication No.**US-2012-0142307-A1

**Publication Date:**06/07/2012

**NOTICE OF PUBLICATION OF APPLICATION**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wood, Mark Andrew, et al :  
Serial No: 13/311,448 : Art Unit: 2445  
Filed: December 5, 2011 : Examiner: Joo, Joshua  
For: Broadcasting Alerting Message : Attorney Docket No: ENIT 9834C2  
Aggregator/Gateway System and  
Method

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

**AMENDMENT A - RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed April 24, 2012, please amend the application as follows and consider the remarks set forth below. Applicant hereby petitions under the provisions of 37 C.F.R. § 1.136(a) for an extension of time in which to respond to the outstanding Office Action and includes a fee as set forth in 37 C.F.R. § 1.17(a) with this response for such extension of time.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

## **REMARKS**

Claims 1-20 are now pending in the application.

Claims 1, 2, 3, 5, 7-11, 14, and 18-20 have been amended by this Amendment.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **NONSTATUTORY OBVIOUSNESS-TYPE DOUBLE PATENTING**

Claims 1-13 and 17-20 stand rejected under nonstatutory obviousness-type double patenting in view of claims 1-3, 5, 7 and 9 of co-owned U.S. Patent No. 8,073,903.

Applicants have submitted herewith a duly executed terminal disclaimer under 37 CFR 1.321(c) executed by the registered attorney of the Applicants as the cited '903 patent and the present patent application are commonly owned. As such, this rejection and the Obviousness rejections based in whole or in part on the '903 should be withdrawn.

Claims 1 and 19 stand rejected under nonstatutory obviousness-type double patenting in view of claims 1 and 10 of co-owned U.S. Patent No. 7,752,259. It is not clear as to what the Office has stated for the rejection of claim 19 in this regard as it is stated "Regarding claim 19, the claim is a method that corresponds to the system of claim 1. Therefore, the claim is not rejected under a similar rational." (emphasis added). The Applicants are assuming that this was a type and that the word "not" was not intended to be included.

Applicants have submitted herewith a duly executed terminal disclaimer under 37 CFR 1.321(c) executed by the registered attorney of the Applicants as the cited '259 patent and the present patent application are commonly owned. As such, these rejections based on the '259 patent should be withdrawn.

## **AMENDMENTS TO THE CLAIMS**

This Amendment further includes additional amendments to claims 1, 3, 5, 7-11, 14, and 18-20. Support for these amendments to the claims is provided as follows:

The Applicant have presented certain amendments to the claims as follows:



1. Service bureau stores geographically defined broadcast message jurisdiction for the broadcast agents that send it broadcast messages with message specific broadcast target areas. Claims 1 and 19. See Specification, Paras. 0061-0077, and in particular 0072.

2. the broadcast service bureau includes a memory for storing a geographically defined broadcast message jurisdiction for each of a plurality of broadcast agents for each of the coupled broadcast agent access systems and identifies the originating broadcast agent from among the plurality of broadcast agents. Claim 8.

3. verifying the broadcast request by comparing the stored geographically defined broadcast message jurisdiction for the originating broadcast agent with the broadcast target area associated with the broadcast message in the broadcast request. Claim 1 and 19. See Specification, Paras. 0131, as the jurisdictional area of the agent is a broadcast agent parameter, see 0072.

4. point-to-multipoint non-subscription wireless broadcast network. Claims 3, 5, 7, 9, 10, 11 and 20. These are generally described as cell broadcast technology which is contrasted in the specification as being point to multipoint as compared to the point to point messaging service of SMS as described in the Background. See Background as compared to Paras. 0191-193, 0041-045 as location broadcast channel technology.

5. the broadcast service bureau is configured associate the first broadcast message with a first broadcast message channel identifier and the second broadcast message with a second broadcast message channel identifier that is different than the first broadcast message channel identifier and to transmit the broadcast request including at least one of the first broadcast message in the first language with the first broadcast channel identifier and the second broadcast message in the second language with the second broadcast channel identifier. Claim 14. Specification, Paras. 0062, 0089, 0093-0095, 0106 (assignment of pre-assigned codes for each language), 0113, 0171, and Appendix 1, Para. 211, channel code assignments based on language channels 501-650).

Applicants do not believe that any new matter has been introduced and that all of these amendments are fully supported by the vast disclosure in the Specification to any person of ordinary skill in the art.

### **REJECTIONS UNDER 35 U.S.C. § 103**

A. Claims 1-8, 12, 15-17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2004/0103158, issued to *Vella* et al (hereinafter *Vella*) in view of U.S. Pat. No. 6,480,578, issued to *Allport* (hereinafter *Allport*). This rejection is respectfully traversed.

As an initial matter, the *Vella* and the *Allport* references will be briefly reviewed, both alone for their individual disclosures and also their combination, e.g., the modification of *Vella* in view of *Allport*. The Applicants acknowledge that they cannot show nonobviousness by attacking these two references individually, however, a rejection based on 35 U.S.C. 103(a) must include a showing that in view of the combined references that all of the elements or limitations of the claim recitations are present in the combination such that the invention as a whole would have been obvious to one of ordinary skill in the art. As the combination of *Vella* and *Allport* fail to teach or disclose all of the recitations or elements recited by each of the claims as required by the first Graham factor for a finding of prima facie obviousness (See MPEP 2143.A(1) and 2143.03), the rejections based on the combination of *Vella* and *Allport* should be withdrawn.

As the Office actions base these rejections on *Vella* as a primary reference, the teachings and disclosure of *Vella* will first be reviewed. Then the teachings and disclosure of *Kolsrud* will be similarly reviewed. After this, the modification of *Vella* by *Allport*, *Kolsrud* and/or *Zimmers*, i.e., as suggested combination in of the Office, will be reviewed. As will be shown, *Vella* cannot be modified by *Allport* in support of a prima facie obviousness rejection. This being said, the Applicants will next review the claims of the present application in view of the suggested combination of *Vella* with *Allport* (hereinafter referred to as *Vella/Allport*).

### **Vella**

Contrary to the description in the Office action, *Vella* does not teach or disclose substantially the invention as claimed in claims 1 and 19 as well as the specification generally.



In contrast to the present specification and claims, *Vella* discloses a cellular messaging alert method and system that is different than that recited by the claims in the present application. In fact, the present application describes in the Background Section (Specification, Paras. 0003-00021) a system and method that is similar to that disclosed by *Vella*. As noted, in the Background Section, the *Vella* based system has considerable limitations and problems, some of which are acknowledged in *Vella*. As identified in the present specification, those limitations are not present in the current claimed system. Specification, Paras. 0043 and 0044.

*Vella's* disclosed systems and methods use a web-based GUI interface that can include a basic rectangular mapping capability (*Vella*, Paras. 0042-0048), however, *Vella* discloses that the alert originator first selects a message target area or location, then the system determines the recipients of the alert based on the a query to a database that stores contact information including the telephone numbers of all of the subscribers or persons that have a home location within the defined message target area. *Vella*, Para. 0049 (emphasis added). The telephone numbers for each identified recipient having a home location in the message target area is determined by *Vella* from a database for use in transmitting the alert message to each individual recipient. *Vella*, Paras. 0058-0061. *Vella* also describes that the initial listing of recipients as identified by their telephone numbers can be added to or reduced based on information obtained from a mobile carriers Home Location Register (HLR) and/or Visitor Location Register (VLR) *Vella*, Para. 0065. *Vella* also teaches an alternative embodiment where the alert message is sent to the mobile carrier for transmission to each telephone number of a user within the HLR and VLR databases of the carrier. *Vella*, 0067.

*Vella* teaches that after the recipients of the message are determined by its system and method, an alert can be generated by the agent. *Vella*, Para. 0050, 0063-0064. The Alert message of *Vella* is generated, "launched" by a launch server by sending a file of all of the identified recipient telephone numbers to an short messaging service (SMS) system of a cellular carrier. *Vella*, Paras. 0069, 0078. The alert message, as taught by *Vella*, is individually transmitted on a point to point basis to each recipient by sending out individual SMS messages based on the individual recipient telephone numbers as required by SMS text messaging and as provided by the file sent from the *Vella* message server. *Vella*, Para. 0053, 0063-0064, 0079. As noted by *Vella*, this results in the mobile carrier having to process individual SMS text messages that can result, in an emergency situation, having hundreds of thousands or even millions of SMS

messages having to be processed by the SMS servers of the mobile carriers. See *Vella*, Para. 0079, and Specification, Paras. 0005-0021. Even in the alternative embodiment as described by *Vella*, the launch server merely transmits the file with all of the telephone numbers of the previously identified recipients to the mobile carrier for their internal processing using the SMS server's HLR/VLR databases to transmit the individual SMS messages to the telephone numbers as identified in the HLR/VLR databases of the carrier. *Vella*, Paras. 0080-0081.

In summary, *Vella* discloses identifying individual recipients by the 10-digit telephone number and then replicating the message for each and every recipient in the form of a point-to-point SMS text message sent via the 10-digit telephone number. *Vella* teaches that each recipient receives the alert message via the SMS text messaging capability of the handset.

*Vella* discloses an agent authorization process that is based on the alert originator entering a user name and password to verify the alert agent's authority. *Vella*, Para. 0056. *Vella* also discloses that this verification of each message can include a verbal identification code referred to as a "launch code" whereby once the user name, password and launch code are correctly entered, the alert message is transmitted to the phone numbers for each of the identified recipients. *Vella*, Paras 0056-0058. As correctly noted in the Office action, *Vella* does not provide any disclosure that validates or verifies that the originator of the message to be broadcast has authority to have the message broadcast to the target area for the particular message. *Vella* only discloses that the messaging agent has access authority to the messaging system such as a user login and a message launch code (user name, password and some additional code that is secret that is input to tell the system that the message can be transmitted. As such, it appears inherent in *Vella* that the messaging server must store user ids, passwords and also message launch codes.

*Vella* discloses a message broadcasting system (shown in Fig. 3 as 300) that uses a launch server with an apparent tie-in to a system database 335 "in order to determine the recipients for the alert within the defined area" Id., Para. 0074. Only after determining the recipients does the *Vella* system web interface server 335 receive the message data from the alerting agency 305 or 310 to be included in the alert message. Id., Para. 0075. Or in the alternative, the unformatted message is sent to the mobile carriers SMS point to point messaging server 355/357 to all cellular phones currently registered in the SMS server's HLR/VLR database 360. Id., Para. 0080.

Allport

*Allport* discloses a communication system for notification of warnings. *Allport*'s system monitors the telephone lines for specific codes that are sent out over the wireline network and upon receipt of a code, activates a visual or audio alerting notification. In other words, the wireless telephone network is configured to send alerting codes over the wirelines to activate the local notification device almost like a reverse home monitoring alarm system. To accomplish this, *Allport* discloses that the central office based system must identify each and every line that is located in the message or alert target area based on the telephone numbers and a storing of the location of the telephone devices based on their telephone numbers. As described, to anyone that knows anything about wireless telephone equipment, is very difficult if not impossible post number portability implementation as mandated by the FCC. A database of wireline numbers and their physical location has to be maintained, and are often complex back office systems used by telephone company maintenance and repair personnel. The telephone number has to be cross-referenced to a physical pair etc. Just like caller ID service, to generate a code over a telephone line, the local central office switch has to access the line via a modem or similar device to input or apply the code, just like the applying a ring tone power.

*Allport* does address to a limited degree the message creation and processing for alerting messages as identified, but really misidentified, by the Office. In Fig. 12, the *Allport* process includes entering postal codes and signal type in S120, and checking input authorization in S122 and authorization validation in S124. However, contrary to the reliance and misinterpretation in the Office action, *Allport* discloses that the authorized party must input some form of authorization (step S122) in order for processing to continue. *Allport*, Col. 13, lines 10-12. As taught, it is the agent that inputs authorization. *Allport* discloses that the authorization can depend on the system's intended scope, and use, and may include passwords, electronic or mechanical keys, magnetic cards, tokens or any other form of identification verification. *Id.*, lines 12-16. (emphasis added). In other words, *Allport* clearly discloses that its **verification is as to the identification of the party** inputting the message. *Id.* Only after the party is authenticated as to identification, does the authorized party communicate to the telephone company's switch equipment, those regions to be sent the coded message. *Id.* Lines 17-20. In other words, the identity of the party that is accessing the telephone central office switch, is

verified only for access to the CO switch. Once the CO switch is accessed, the party can enter the “target area” as the region for the alert coded signal to be sent as well as the type of signal to be sent. Id. Lines 10-24 and col. 14, lines 45-55. *Allport*, like *Vella*, merely includes a disclosure as to verifying that the accessing party is authorized to access the system or to send particular types of signals (*Allport*).

### *Vella/Allport*

First, the Applicants note that the combination or modification of the SMS message broadcasting system of *Vella* by the alerting signal on a per-line basis of *Allport* is not a suitable combination in any manner. *Vella*'s discloses a messaging system that is based on sending SMS text or multimedia messages over a mobile network using the SMS messaging system. The alerting messages of *Vella* are used to query a database (HLR and VLR databases) to identify the telephone numbers of the mobile devices that happen to be in the target area at the particular time as they are mobile. The *Vella* system then transmits the identified telephone numbers to the SMS point to point messaging system so that the message is transmitted one at a time via the SMS messaging system to each provided telephone number. In contrast, the *Allport* system is a wireline based system that discloses that the manager or messaging agent has to access each central office switch, which inherently as known to anyone of any ordinary skill in the art, is already geographically allocated and defined and has been since the original telephone systems were implemented nearly 100 years ago. The *Allport* system requires that each central office switch be accessed and then each line serving a particular portion of the central office serving area is determined. Only then does a signal, not the message, but a coded signal, based on the type of message, is transmitted over the particular wireless lines, so as to activate the physical alerting device that is attached at the remote location. Anyone of any skill in the art would clearly understand that the wireless technologies of *Allport* are not compatible with or combinable with wireless mobile telephone systems and are clearly not combinable with SMS text messaging used with mobile carrier systems. When has the examiner been able to obtain and SMS message on a wireline telephone such as taught by *Allport*. These are two completely different technologies. That is why *Allport* merely sends an alert code over the wireline and one reason why implementation of calling number and calling name services were extremely difficult and costly in the wireline telephone systems, but were inherent in the mobile telephone systems.

They are completely different and not combinable technologies.

Second, contrary to the Office action, *Allport* does not teach any type of verification or authorization or validation as to whether a particular message as received from a particular broadcast agent, is verified that the particular sending or originating agent has the authority to send that particular message to the particular geographically defined target area. This capability is not taught by *Allport*, is not taught by *Vella* and is not taught by any other cited or known reference.

However, to be clear to the Office and this particular examiner, the Applicants have amended claims 1 and 19 to clarify the claimed verification process. As amended, claims 1 and 19 now recite that the message broadcast service bureau, which receives the broadcast request with the particular message to be broadcast and the geographically defined target area for that particular message to be broadcast into. This includes a comparison of a stored geographically defined broadcast message jurisdiction for the broadcast agent that originated the message against the target area for the particular message. As such, each broadcast request with each broadcast message and each associated target area, is compared against a predefined (stored) preauthorized geographical target area for the originated message agent. As described in the specification, each agent is preauthorized for sending messages only to his/her geographic area. See by way of example, Specification, Para. 0163. While the current system also include the identification verification of the agent as taught by *Vella* and *Allport* (See Specification, Para. 0200, for entering of a password, etc. The specification refers generally to this as the jurisdiction of the agent. *Id.* At 0029, 0060, 0072, 0081, 0082, 0112, 0163, 0179, and 0201. The Specification clearly and repeatedly describes this jurisdictional authorization of each agent based on each message to be sent to each particular target area for the message. This is not disclosed in *Vella/Allport* or any other references. None of the references or the combination of *Vella/Allport* disclose storing of a geographically defined broadcast message jurisdiction for an agent and then comparing the such stored agent jurisdiction to the target area of each message to ensure that that each message is being originated by an agent whom has authority to transmit and broadcast a message to the intended target area for the message.

For these reasons, claims 1 and 19, as originally submitted and also as amended herein, are not obvious in view of *Vella/Allport* or any other combination of any cited reference. As

such the rejections to claims 1 and 19 should be withdrawn and claims 1 and 19 placed in allowance. Further claims 2-18 depend from claim 1 and claim 20 depends from claim 19 and each of claims 2-18 and 20 are allowable due to their dependency from an allowable claim.

Claims 3, 5 and 7 as amended each recite 3. wherein the one or more message broadcast message networks to which the broadcast service bureau transmits the broadcast message includes at least one point-to-multipoint non-subscription wireless broadcast network selected from the group consisting of wireless mobile carrier network, and wireless Wi-Fi network, and at least one other broadcast message network selected from the group consisting of digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system. This combination is not taught by any of the cited references. *Vella*, *Atkin* and *Kolsrud* address only an SMS messaging network for mobile carriers. *Zimmers* only address and IP internet systems but may also disclose a PSTN wireline system based on Fig. 1. And *Allport* addresses a wireline PSTN network. None of these references addresses a combination of a point to multipoint non-subscription messaging system that also includes a pure broadcast system as a secondary transmission network for the same message, all coordinated by the same broadcast service bureau. As such, claims 3, 5 and 7 are all allowable.

Claim 2 recites the broadcast service bureau is configured for receiving the broadcast request and identifying the one or more broadcast message networks providing message alerting service to at least a portion of the broadcast target area. The Office action states that *Vella* teaches this but such a reliance is not a correct or reasonable interpretation of *Vella* alone or in combination with *Allport*. The referenced paragraphs of *Vella* state in Para 0079 that the launch server 330 accesses the system database 335 in order to determine an address format that a particular cellular carrier 380 or 385 utilizes for receiving text messages. Thereafter, the launch server 330 formats the alert message to comply with an address format of a particular cellular carrier providing service to the recipients. The launch server 330 then sends the formatted messages to a public network (the Internet 320), for example via a Cisco router interface. With up to 40 Megs of burstable bandwidth, the launch server 330 can send up to 100,000 messages per minute. Para. 0080 discloses that in the alternative, instead of formatting the alert message



based on a particular cellular carrier 380 or 385, the launch server 330 simply sends the unformatted alert message to the SMS server 355/357 of the cellular carrier 380/385 with instructions for the SMS server 355/357 to launch a properly formatted message to all cellular phone currently registered in the SMS server's HLR/VLR database 360." Neither of these citations discloses that the message processing server identify the one or more broadcast message networks from among a plurality of coupled broadcast message networks providing message alerting service to at least a portion of the broadcast target area. For this reason, claim 2 is allowable over *Vella/Allport*.

As to claim 4, claim 4 recites the broadcast service bureau further includes a distributor receiving the broadcast message and broadcast target area and mapping the broadcast target area to determine which one or more of the broadcast message networks from among a plurality of broadcast message networks has a broadcast message distribution system serving at least a portion of the broadcast target area, and wherein the distributor identifies the one or more broadcast message networks. The Office action references Para. 0053 and 0066 of *Vella* for this teaching. Para. 0053 states: after an alert message is generated to include any data input by the alert originator (S120), the alert is delivered to the intended recipients (S130). For example, the alert message is sent to the recipients as a text message, such as an SMS message. The alert message can be sent over the Internet to the various communications service providers servicing the recipients, wherein the recipients receive the alert in a timely and simple manner. Para. 0066 states: prior to delivery of the alert message to the recipients via their cellular phones, the alert message is formatted to comply with the particular address format of each cellular carrier that provides service to one or more of the recipients (S260). The aforementioned OCNs, retrieved from the system database, indicate the identity of the relevant cellular carriers. An address format used by each of these relevant cellular carriers is determined and is used to format the alert message for delivery to those recipients serviced by each of the relevant cellular carriers. For example, if it is determined that a particular three digit exchange belongs to AT&T, those 10,000 alert messages would be formatted as 10DIGITS@mobile.att.net. Another exchange might belong to Verizon, such that an address format of 10DIGITS@vtext.com is used, and another exchange might belong to Cingular, such that a format of 10DIGITS@mobile.mycingular.com is used. The proper address format (e.g., e-mail address) for every cellular entity can be cataloged

and stored, for example in the system database. Neither of these reference discloses the recitation of claim 4 that a distributor receives the broadcast message and broadcast target area and maps the broadcast target area to determine which one or more of the broadcast message networks from among a plurality of broadcast message networks has a broadcast message distribution system serving at least a portion of the broadcast target area, and wherein the distributor identifies the one or more broadcast message networks. Rather *Vella* teaches: a) the alert is delivered to the intended recipient, b) the alert can be sent over the Internet to the recipients and c) formatted as required for delivery to the recipients. In all cases, *Vella* teaches, as fully addressed above, that *Vella* has to know the recipients first. It is a SMS messaging service that requires the identification of the recipient and his address, not whether the serving network maps to or provides service to a portion of the geographic area of the message target area. For these reasons, claim 4 is allowable over *Vella/Allport*.

B. Claims 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Vella* in view of *Allport*, and further in view of U.S. Pub. No. 2004/0203562, issued to *Kolsrud* (hereinafter *Kolsrud*). This rejection is respectfully traversed.

The above review and differentiation of the present claims as to the suggestion combination of *Vella* with *Allport* is herein incorporated by reference and is not repeated. As above, Applicants will first review the teachings of the *Kolsrud* reference and then the suggested combination of *Kolsrud* with *Vella/Allport*. The Office relies on *Kolsrud* for the teaching that it discloses a system for message broadcasting using a carrier broadcast center that converts the broadcast target area to network addresses of wireless transmission devices serving the broadcast target area including determining particular wireless network transmission devices serving at least a portion of the broadcast target area and identifying the network addresses for each and transmitting the broadcast message to each network address. Referring to *Kolsrud*, Paras. 0017, 0020.

#### *Kolsrud*

*Kolsrud* discloses an alerting system that includes an Emergency Broadcast Station 105 that transmits an emergency alert to the base stations 115 of a mobile network for transmitting to mobile telephones 140 served by the receiving base stations 115. *Kolsrud* discloses "The



emergency broadcast station 105 knows which base stations to send signal 150a to because the national, state or local authorities have a database containing all local base stations' geographical locations and cellular coverage areas." *Kolsrud*, Para. 0020. The Applicants note that this statement is false as every mobile carrier closely guards its base station information and in particular the network addressing information for its base stations and the defined serving areas and network elements (transmitters and towers) are dynamic and change all of the time. *See* Applicant's Specification Paras. 0180-0181, 0183, 0186 and 0187 where the Applicant's address the realities of this situation and describe how their system provides a novel and non-obvious solution in view of real world systems, not the mythical system as suggested by *Kolsrud*. *Kolsrud* utilizes this false information and states that the national, state or local authorities' computer database selects the base station(s) to be used for receiving the warning/emergency signal, the emergency broadcast station 105 " *Kolsrud* discloses that the transmit signal is to one or more base stations within or near a projected disaster area (*Kolsrud*, S30); transmitting an alert signal from the base station to the network users (*Kolsrud*, S40); and then having the users tune their handsets to a frequency received in the alert signal to read or receive the emergency broadcast message (*Kolsrud*, S50).

As taught by *Kolsrud*, "The base stations do not transmit the emergency broadcast message itself, but send a signal representing the emergency broadcast message to users served by the base station. The signal contains information that classifies a priority level of the disaster situation, and contains the frequency at which the message is transmitted from an independent AM transmitter at the emergency broadcast station." *Kolsrud*, Para. 0014. The signal is not clearly identified but appears to include transmitting via a "downlink channel" or a paging channel (*Kolsrud*, Para. 0022), or like *Vella*, the system can use an SMS transmission capability of the base station (*Kolsrud*, Para 0027). However, the Applicants note that such an SMS capability at the base station is technically impossible since as described above, SMS messaging requires the identification of the individual telephone numbers of the subscribers.

The signal transmitted by the base station is one that "contains information that classifies a priority level of the disaster situation, and contains the frequency at which the message is transmitted from an independent AM transmitter at the emergency broadcast station. The user, which in one embodiment of the invention is the aforementioned cellular phone, then tunes to the channel in order to receive the information, which can either be voice or data." *Kolsrud*, Para.

0014. *Kolsrud* goes on to describe the modifications to the mobile handsets for enabling the handset to receive AM or FM signals wherein the AM or FM signals will include the broadcast message. *Kolsrud*, Paras. 0015, 0017, 0023. The alert of *Kolsrud* can also include a reference to an 800 number that the user can call to obtain the alert message. *Kolsrud*, Paras. 0019, 0023

### *Vella/Allport/Kolsrud*

From these discussions of *Vella/Allport* and *Kolsrud*, we can now review the suggested modification of *Vella/Allport* by *Kolsrud*. First, contrary to the statements in the Office action, *Vella/Allport/Kolsrud* does not teach or disclose a system or method that can compare or convert a broadcast target area into network addresses for base stations. As addressed above, *Kolsrud* merely discloses, albeit erroneously, that "The emergency broadcast station 105 knows which base stations to send signal 150a to because the national, state or local authorities have a database containing all local base stations' geographical locations and cellular coverage areas." *Kolsrud*, Para. 0020. Contrary to the contention in the Office action, this does not teach or disclose a carrier broadcast server that converts the broadcast target area to network addresses of network transmission devices. *Kolsrud* never mentions or describes any conversion, or network address or the transmitting of a broadcast message to such address.

Secondly, while *Kolsrud* off-handedly mentions SMS text messaging service as a method of transmitting the alert received by the base station, such a capability is technically inaccurate or at would require considerable changes to the existing mobile networks in order to accomplish. As described by *Vella*, text messages do not originate at the base stations, but are received by the mobile carrier either with an existing telephone number or as obtained by querying the HLR/VLR databases. (The Applicants ignore the teaching or combination with *Allport* here as its wireline technology is completely different as discussed above.) As such, even assuming that "knowing" the base stations for a particular target market area is taught by *Kolsrud*, which it is not, *Vella* cannot be modified by *Kolsrud* as *Vella's* and *Allport's* systems require, an initial lookup of the recipients and their phone numbers either via a home database, or via an HLR/VLR and then processes all of the alerts, not the messages, by sending SMS messages to each and every telephone number of the identified recipients. This would be a significant change to the SMS messaging telephone number lookup system which is the fundamental basis of the entire *Vella* and *Allport* disclosures.

Further, *Kolsrud* discloses sending an alert signal that requires the receiving party to tune to another channel, or the handset to tune to an AM or FM channel for actually receiving the message. This is completely contrary to the teachings of *Vella* (as well as *Allport*'s device based alerting system based on alert coded signal) and again would require a significant change to the operation of each of the *Vella* and *Allport* systems as well as their combination, without providing any advantages to *Vella*, or *Vella/Allport* as *Vella* actually transmits the actual broadcast message on a point to point basis to each telephone number (*Vella*) or transmits an alerting signal or code to each telephone line (*Allport*) and does not require that the recipients to which the message is transmitted based on their determined telephone numbers to tune to an AM or FM channel to obtain the actual broadcast message as taught by *Vella*, or simply provide a code that initiates an alarm based on a code as taught by *Allport*.

For each and all of these reasons, *Vella* cannot be combined or modified by *Kolsrud* as suggested by the Office action as *Kolsrud* is a completely different technology that cannot be combined, or if one could combine them, would require a substantial reconstruction and redesign of the operations and elements and the basic principles as disclosed by the primary reference *Vella*. See MPEP 2143.01.VI. Additionally, as these reference utilize a completely different technology, one of ordinary skill in the art could not have and would not attempt to combine them as suggested by the Office action. See MPEP 2141.01.V(A). The Office actions stated reasons or motivations to combine these two references, while theoretical ideal in nature, fall short as the teachings of *Kolsrud* cannot improve *Vella*'s teachings for more efficient distribution of messages without a significant change to the fundamental teaching of *Vella*, and gutting most, if not all of the message processing functionality as taught by *Vella*. As noted, *Allport*'s disclosure is ignored herein as its technology is not related in this regard.

For these reasons alone, all of the rejections to claims 9-11 based on a modification of *Vella/Allport* by *Kolsrud* should be withdrawn as their combination does not support a prima facie obvious rejection.

C. Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Vella* in view of *Allport*, and further in view of U.S. Pub. No. 2004/0192258, issued to *Atkin* (hereinafter *Atkin*). This rejection is respectfully traversed.

The above review and differentiation of the present claims as to the suggestion combination of *Vella* with *Allport* is herein incorporated by reference and is not repeated. As above, Applicants will first review the teachings of the *Atkin* reference and then the suggested combination of *Atkin* with *VellaAllport*.

*Atkin* is relied upon in the Office action for the teaching that it supposedly discloses a broadcast message in a broadcast request that is a first broadcast message in a first language, and a second broadcast message in a second language. The Office action mistakenly interprets *Atkin* that the server in *Atkin* transmits a broadcast request including the first and second language messages. While the Applicants have amended claims 13 and 14, *Atkins* does not teach or disclose that which the Office relies.

#### *Atkin*

*Atkins* discloses a system for a wireless network that utilizes the mobile device registration process in a VLR (e.g., the traveling device will not be a home device and therefore the HLR does not come into play for the automated translation of messages in *Atkin*). The *Atkin* system retrieves the mobile device registration with the local transmission cellular tower via the BSC and transmits the telephone number which is unique to the assigned home location for the person, unless the traveling party uses an in country mobile device, in which the system of *Akin* will not work. The *Atkin* system presumes the traveler uses their home device and that the visiting cellular network registers the phone, uses the home mobile number or the EIN device number for the mobile device, and maps such against a table to determine a default language for the user. Based on this default home language, which may or may not be the actual language spoken by the person using the device, the messaging system looks to see if there are any alert warnings in the geographic area in which the mobile device just registered or is registered. If there is an alert for such geographic location of the mobile device, before the message is transmitted, the system checks the language for the registered telephone number, and then sends the broadcast message to the devices telephone number using the language identified therewith.

*Atkin* discloses that the alert messaging system determines or guesses at the language for a message based on the registration number or registration of the mobile device with the network and its current location in the network. The messaging and cellular network determine what language it believes the mobile device user is expecting to receive and then sends any SMS

messages it has to that mobile device in that language or translates it and then send it. It is a point to point message translation system.

*Vella/Allport/Atkin*

*Atkin* teaches a user device instigated or identified language registration system for SMS point to point messaging. This is a possible enhancement to *Vella* in that each use a HLR and VLR and sends messages out on a point to point (not broadcast) basis to a set of determined mobile devices that are determined to be within the geographic area of an alert message. For instance, it would appear possible to combine *Atkin* in Fig. 2A of *Vella*, between processes 220 and 240, or as part of process 230, e.g., use the determined phone number, then apply *Atkin* to determine the language for the inputting of the data for the alert in 240, then generate the message in 240 in the determined language for that particular mobile handset.

However, contrary to this potential combination, this is not what claims 13 and 14 recite. Claim 13 recites that the broadcast request that is received by the service bureau that includes the broadcast message to be sent and the target area from the broadcast agent includes a broadcast message that is an alerting system administrative message, and not an actual alert message for which the mobile device owner is to react. Rather, the broadcast request received from the broadcast agent originating the request to send the broadcast message, includes in the broadcast request, a message recall to recall a prior initialed message, an identifier for identifying the language in which the originator of the message wants the message sent, a selection of a particular network from among a plurality of broadcast networks, or a request for the progress status of a prior sent message. None of these are disclosed by *Vella*, *Allport*, or *Atkin*, alone or in combination. The Office relies on *Atkin* apparently as to the language, but as addressed above, *Atkin* teaches that the message is stored and the messaging system determines the language of the message to be sent to the mobile device based on the registration of the device with the VLR. This is completely different than recited by claim 13 wherein the agent that sends the broadcast message request tells the service bureau which language the message is to be sent. It is then pushed through the network, and broadcast based on the agents designated language. As such, claim 13 as to language is clearly not taught by *Atkin*. The other recited features are not

disclosed by any of the cited references. As such, claim 13 is allowable over the combination of *Vella/Allport/Atkin*.

Claim 14 has been amended to clarify its recitations. Claim 14 as amended recites that the broadcast request, as received from the broadcast agent includes is a first and second broadcast message, the first broadcast message being in a first language, and the second broadcast message in a second language. The broadcast service bureau associate the first broadcast message with a first broadcast message channel identifier and the second broadcast message with a second broadcast message channel identifier that is different than the first broadcast message channel identifier. The service bureau then transmits the first broadcast message in the first language with the first broadcast channel identifier and the second broadcast message in the second language with the second broadcast channel identifier. As noted above, claim 14 recites a system wherein the broadcast agent designates the languages and messages in the languages to be broadcast. The service bureau associates or determines a broadcast channel code for each language and each broadcast message is transmitted with the language channel code so that downstream systems will transmit the language in a channel code associated with the language. See specification, Paras. 0062, 0089, 0093-0095, 0106 (assignment of pre-assigned codes for each language), 0113, 0171, and Appendix 1, Para. 211, channel code assignments based on language channels 501-650).

This is completely different than taught by *Atkin* and is not taught or disclosed by the combination of *Vella* with *Atkin* (point to point SMS messaging based on language association with the registration of the particular mobile device).

For these reasons, claim 14 is allowable over the combination of *Vella/Allport/Atkin*.

Claims 18 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Vella* in view of *Allport*, and further in view of U.S. Pub. No. 2005/0013417, issued to *Zimmers* (hereinafter *Zimmers*). This rejection is respectfully traversed.

The above review and differentiation of the present claims as to the suggestion combination of *Vella* with *Allport* is herein incorporated by reference and is not repeated. As above, Applicants will first review the teachings of the *Zimmers* reference and then the suggested combination of *Zimmers* with *Vella/Allport*.



The Office relies on *Zimmers* for the disclosure that Zimmer selects one or more broadcast message networks based on the type of the message and the target area. Referring to *Zimmers*, Para. 0087, 0090-0091.

### *Zimmers*

*Zimmers* discloses a notification system that includes a plurality of different types of messages, all of which related to IP internet based technology and apparently the PSTN which is the wireline switched network of *Allport*.

As noted in Para. 0091, station identifiers are generated for which alert notifications are directed. Each selected station is evaluated to determine if the station identified is an email address, TCP/IP address or internet accessible pager. When this is done, a data packet is formed to conform with the format of such station identifier and is then sent to a web server for delivery via the internet in the correct format for the intended recipient.

As with *Vella*, *Zimmers* teaches a point to point system wherein the recipient and the recipients IP address must be known. The only difference with *Zimmers* is that it is internet technology that requires protocol formatting based on the knowledge of the station identifier format requirements. The reference in the Office action as to them message type is mistaken and taken out of context, probably due to simplistic key word searching. Para. 0087 of *Zimmers* as relied on in the Office action states that “the notification type is then evaluated . . . to determine if it is a type allowed by the server for the user. If so. . . . additional web based forms are used to prompt the user for relevant information for the notification, such as the geographic information, heading and speed information . . . a data packet is generated (using the format of Table I) reflecting the indicated notification type . . .” *Zimmers*, Para. 0087.

### *Vella/Allport/Zimmers*

As noted, *Zimmers* is an IP internet based notification system. It is not adaptable for use with the SMS text messaging systems of *Vella*. If it were, *Zimmers* merely discloses that the message type that is received is verified “if it is a type allowed by the server for the user.” There is no disclosure or teaching in *Zimmers* or *Vella* or *Allport*, that the broadcast message transmission network is selected based on the message type. Additionally, there is no teaching in *Zimmers* that the broadcast message network is selected based on the broadcast target area. In

*Zimmers*, the location of the device in the IP network is determined based on user data such as credit card billing address, service subscription address, or is simply sent to the IP address or email address regardless of the location. *Id.* at Para. 0091. Zimmer does not provide any teaching as to a mobile device that happens to be located within the geographic area of the notification and is mobile and changes positions that could be in or out of the geographic area over time. Zimmer does not disclose selecting a different broadcast message network based on the geographic area or based on the message type, but only reformatting the message to meet the format requirements of the station identifiers.

For these reasons, claims 18 and 20 are allowable in view of *Zimmers*, in combination with *Vella* and *Allport*.



CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

Applicant hereby requests a three-month extension to respond to the Office action, and has charged against the Deposit Account to cover the fee for that extension simultaneous with filing of this Amendment. Other than associated with the Terminal Disclaimers, Applicants believe that they do not owe any additional fee in connection with this filing. If, however, Applicants do owe any such fee, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 162201. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. 162201.

Respectfully submitted,

Dated: October 24, 2012

s/David L. Howard/

DAVID L. HOWARD  
Reg. No. 41,502  
POLSTER LIEDER WOODRUFF & LUCCHESI  
Suite 200  
12412 Powerscourt Drive  
St. Louis, MO 63131  
Tel: 314-238-2460  
Fax: 314-238-2401

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

### LISTING OF CLAIMS

1. (Currently amended) A message alert broadcast broker system for providing a broadcast message to a plurality of user devices located within a geographically defined broadcast target area, the system comprising:

a broadcast service bureau communicatively coupled for receiving from one of a plurality of coupled broadcast agent access systems providing a broadcast request from an originating broadcast agent associated one broadcast agent message origination systems, the broadcast request including a broadcast agent identification, the geographically defined broadcast target area, and a broadcast message, the broadcast service bureau having a stored geographically defined broadcast message jurisdiction for the originating broadcast agent and configured for verifying the broadcast request as a function of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area by comparing the stored geographically defined broadcast message jurisdiction for the originating broadcast agent with the broadcast target area associated with the broadcast message in the broadcast request,

the broadcast service bureau processing the verified broadcast request for transmission to one or more broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area.

2. (Currently amended) The system of claim 1 wherein the broadcast service bureau is configured for receiving the broadcast request, and identifying the one or more broadcast message networks from among a plurality of coupled broadcast message networks, providing message alerting service to at least a portion of the broadcast target area.

3. (Currently amended) The system of claim 2 wherein the one or more message broadcast message networks includes at least one point-to-multipoint non-subscription wireless broadcast network selected from the group consisting of wireless mobile carrier network, and wireless Wi-Fi network, and at least one other broadcast message network selected from the group consisting of digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system.

4. (Original) The system of claim 1 wherein the broadcast service bureau further includes a distributor receiving the broadcast message and broadcast target area and mapping the broadcast target area to determine which one or more of the broadcast message networks from among a plurality of broadcast message networks has a broadcast message distribution system serving at least a portion of the broadcast target area, and wherein the distributor identifies the one or more broadcast message networks.

5. (Currently amended) The system of claim 4 wherein the one or more message broadcast message networks includes at least one point-to-multipoint non-subscription wireless broadcast network selected from the group consisting of wireless mobile carrier network, and wireless Wi-Fi network, and at least one other broadcast message network selected from the group consisting of digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system.

6. (Original) The system of claim 1 wherein the broadcast service bureau includes an output interface for coupling to one of the one or more broadcast message networks providing message alerting service to at least a portion of the broadcast target area.

7. (Currently amended) The system of claim 6 wherein the output interface is configured to interface ~~with a message~~ with at least one point-to-multipoint non-subscription broadcast message network selected from the group consisting of wireless mobile carrier network, and wireless Wi-Fi network, and at least one other broadcast message networks selected from the

group consisting of digital private radio systems operator network, private radio system network, internet service provider networks, wireline telecommunication network, satellite network, CATV network, radio system, and television system.

8. (Currently amended) The system of claim 1 wherein the broadcast service bureau includes a memory for storing a geographically defined broadcast message jurisdiction for each of a plurality of broadcast agents for each of the coupled broadcast agent access systems and identifies the originating broadcast agent from among the plurality of broadcast agents, verifies ~~an~~ the authority of the originating broadcast agent to transmit the broadcast message of the broadcast request to the broadcast target area of the broadcast request as a function of the comparing a broadcast message jurisdiction stored in the broadcast service bureau for the originating broadcast agent, the verifying ensuring that the geographically defined broadcast message jurisdiction of the originating broadcast agent includes the broadcast target area for the broadcast message of the broadcast request.

9. (Currently amended) The system of claim 6 wherein the output interface is configured for interfacing with a carrier broadcast center of a wireless mobile carrier network, the carrier broadcast center receiving the broadcast message and the broadcast target area from the broadcast service bureau and converting the broadcast target area to network addresses of point-to-multipoint wireless transmission devices serving the broadcast target area including determining particular point-to-multipoint wireless network transmission devices serving at least a portion of the broadcast target area, and identifying the network addresses for each determined particular wireless transmission device and transmitting the broadcast message to the network addresses of the particular point-to-multipoint wireless transmission devices for point-to-multipoint wireless transmission of the broadcast message by the particular point-to-multipoint wireless transmission devices to user receiving devices.

10. (Currently amended) The system of claim 9 wherein the point-to-multipoint wireless transmission devices serving the broadcast target area and the particular wireless transmission devices are wireless cellular network transmitters and each of the wireless cellular

network transmitters has a cell id network address and the identified network addresses are cell id network addresses.

11. (Currently amended) The system of claim 9 wherein the point-to-multipoint wireless transmission devices serving the broadcast target area and the particular wireless transmission devices are Wi-Fi network transmitters, each of the Wi-Fi network transmitters having a Wi-Fi id network address, wherein the identified network addresses are Wi-Fi id network addresses.

12. (Original) The system of claim 1 wherein the broadcast request includes a message type identifying the type of message of the broadcast message request.

13. (Original) The system of claim 1 wherein the broadcast request includes a broadcast message that is an alerting system administrative message selected from the group consisting of: message recall, language identifier, network selector, and request for message progress status.

14. (Currently amended) The system of claim 1 wherein the broadcast message of the broadcast request is a first broadcast message, the first broadcast message being in a first language, and wherein the broadcast request includes a second broadcast message in a second language, and wherein the broadcast service bureau is configured associate the first broadcast message with a first broadcast message channel identifier and the second broadcast message with a second broadcast message channel identifier that is different than the first broadcast message channel identifier and to transmit ~~the broadcast request including at least one of the first~~ broadcast message in the first language with the first broadcast channel identifier and the second broadcast message in the second language with the second broadcast channel identifier.

15. (Original) The system of claim 1 wherein the broadcast message is a multimedia message.

16. (Original) The system of claim 15 wherein the multimedia message includes at least one of a photograph and a map.

17. (Original) The system of claim 1 wherein the broadcast request includes a message type.

18. (Currently amended) The system of claim 17 wherein the broadcast service bureau is coupled to a plurality of broadcast message networks, and is configured to select the one or more broadcast message networks from among the plurality of coupled broadcast message networks responsive to ~~at least of~~ the message type and the broadcast target area.

19. (Currently amended) A method of public service broadcast messaging to a broadcast target area, the method comprising:

receiving over an input interface a broadcast request including a broadcast agent identification, a geographically defined broadcast target area, and a broadcast message from one of a plurality of coupled broadcast agent message origination systems;

storing a geographically defined broadcast message jurisdiction for a broadcast agent;

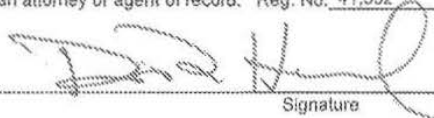
verifying an authority of the broadcast agent identification including an authority of the originating broadcast agent to send the broadcast message to the broadcast target area by comparing the stored geographically defined broadcast message jurisdiction for the originating broadcast agent with the broadcast target area associated with the broadcast message in the broadcast request; and

transmitting the broadcast message over an output interface to one or more coupled broadcast message networks providing broadcast message alerting service to at least a portion of the broadcast target area.

20. (Currently amended) The method of claim 19 wherein the broadcast request includes a message type, further comprising:

selecting ~~the~~ one or more point-to-multipoint non-subscription wireless mobile device broadcast message networks from among the plurality of coupled broadcast message networks responsive to ~~at least of~~ the message type and the broadcast target area wherein transmitting includes at least one of the selected point-to-multipoint non-subscription wireless mobile device broadcast message networks.

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<b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>	Docket Number (Optional) ENIT 9834C2
In re Application of: Mark Wood, Kevin Russell Preston, Douglas Weiser  Application No.: 13/311,448  Filed: December 5, 2011  For: Broadcast Alerting Message Aggregator/Gateway System and Method	
The owner*, <u>EnvisionT, LLC</u> , of <u>100</u> 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 of prior patent No. <u>7,752,259</u> 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.	
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	<u>10/24/12</u> Date
<u>David L. Howard</u> Typed or printed name	
<u>314-238-2400</u> Telephone Number	
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.26(d) included.	
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>	
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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.



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<b>Application Number:</b>	13311448
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9039
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood
<b>Customer Number:</b>	1688
<b>Filer:</b>	David L. Howard
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	ENIT 9834C2
<b>Receipt Date:</b>	24-OCT-2012
<b>Filing Date:</b>	05-DEC-2011
<b>Time Stamp:</b>	16:02:17
<b>Application Type:</b>	Utility under 35 USC 111(a)

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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		ENIT_9834C2_Am_A_RTOA_4-24-12.pdf	139668 45e4244fb7bdd234416a590bc13ccc8f43bf66e	yes	26
<b>Multipart Description/PDF files in .zip description</b>					
		<b>Document Description</b>	<b>Start</b>	<b>End</b>	
		Amendment/Req. Reconsideration-After Non-Final Reject	1	1	
		Claims	2	6	
		Applicant Arguments/Remarks Made in an Amendment	7	26	
<b>Warnings:</b>					
<b>Information:</b>					
2	Terminal Disclaimer Filed	ENIT_9834C2_Terminal_Disclaimer_7752259.pdf	695730 0d3889aaabcb92854b61cad09b83603332655c80	no	2
<b>Warnings:</b>					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
<b>Information:</b>					
3	Terminal Disclaimer Filed	ENIT_9834C2_Terminal_Disclaimer_8073903.pdf	693457 ea2190c786b6e576df3ac3eea33d4ab5c5b4d4c1	no	2
<b>Warnings:</b>					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
<b>Information:</b>					
4	Fee Worksheet (SB06)	fee-info.pdf	32343 c7c0abca767586d16fcc497e3d10619e1a8dde79	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			1561198		

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**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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<b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>	Docket Number (Optional) ENIT 9834C2
In re Application of: Mark Wood, Kevin Russell Preston, Douglas Weiser	
Application No.: 13/311,448	
Filed: December 5, 2011	
For: Broadcast Alerting Message Aggregator/Gateway System and Method	
The owner*, <u>EnvisionIT, LLC</u> , of <u>100</u> 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 of prior patent No. <u>8,073,903</u> 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 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. <input type="checkbox"/> 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. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>41,502</u>	
 Signature	<u>10/24/12</u> Date
David L. Howard Typed or printed name	
<u>314-238-2400</u> Telephone Number	
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.	
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>	
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

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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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 Patent Application Fee Transmittal

<b>Application Number:</b>	13311448			
<b>Filing Date:</b>	05-Dec-2011			
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD			
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood			
<b>Filer:</b>	David L. Howard/Kim Adler			
<b>Attorney Docket Number:</b>	ENIT 9834C2			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Statutory or terminal disclaimer	2814	2	80	160
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 3 months with \$0 paid	2253	1	645	645
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>805</b>

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>13/311,448</b>		Filing Date <b>12/05/2011</b>		<input type="checkbox"/> To be Mailed		
<b>APPLICATION AS FILED – PART I</b>											
(Column 1)			(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/> OR		OTHER THAN SMALL ENTITY			
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>		N/A	N/A		N/A				N/A		
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (i), or (m))</small>		N/A	N/A		N/A				N/A		
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>		N/A	N/A		N/A				N/A		
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>		minus 20 =	*		X \$ =		OR		X \$ =		
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>		minus 3 =	*		X \$ =				X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 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 <small>(37 CFR 1.16(j))</small>											
					TOTAL		OR		TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.											
<b>APPLICATION AS AMENDED – PART II</b>											
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	<b>10/24/2012</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(o))</small>	* 20	Minus	** 20	= 0	X \$31 =	0	OR		X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	* 2	Minus	*** 3	= 0	X \$125 =	0	OR		X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>										
						TOTAL ADD'L FEE	<b>0</b>	OR		TOTAL ADD'L FEE	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(o))</small>	*	Minus	**	=	X \$ =		OR		X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =		OR		X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>										
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>										
						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 number found in the appropriate box in column 1.											

Legal Instrument Examiner:  
/TRACIE HARGROVE/

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.




<b>Application Number</b> 	<b>Application/Control No.</b> 13/311,448	<b>Applicant(s)/Patent under Reexamination</b> WOOD ET AL.	
<b>Document Code - DISQ</b>		<b>Internal Document – DO NOT MAIL</b>	

<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : Both tds 10-24-2012	<b>This patent is subject to a Terminal Disclaimer</b>	

**Approved/Disapproved by:**

Dorethea Lawrence

<b>Issue Classification</b> 	<b>Application/Control No.</b> 13311448	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

ORIGINAL						INTERNATIONAL CLASSIFICATION												
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED							
709			203			G	0	6	F	15 / 16 (2006.0)								
CROSS REFERENCE(S)						G	0	6	F	15 / 173 (2006.0)								
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
709	206	225																

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input checked="" 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
1	1	17	17												
2	2	18	18												
3	3	19	19												
4	4	20	20												
5	5														
6	6														
7	7														
8	8														
9	9														
10	10														
11	11														
12	12														
13	13														
14	14														
15	15														
16	16														

NONE		<b>Total Claims Allowed:</b>	
		20	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/JOSHUA JOO/ Primary Examiner. Art Unit 2445	12/07/2012	1	1
(Primary Examiner)	(Date)		

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	63	broadcast\$3 near10 (message\$1 alert\$1 notification\$1) same jurisdiction	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 13:13
S3	30	broadcast\$3 near10 (message\$1 alert\$1 notification\$1) and (verif\$4 verification authority authoriz\$3 authorization) near10 jurisdiction same (send\$3 transmit\$4 broadcast\$3) near10 (message\$1 alert\$1 notification\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 13:56
S5	72	broadcast\$3 near10 (message\$1 alert\$1 notification\$1) and (verif\$4 verification authority authoriz\$3 authorization) near10 (broadcast target geographic\$3) near2 (location area) same (send\$3 transmit\$4 broadcast\$3) near10 (message\$1 alert\$1 notification\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 13:57
S7	94	broadcast\$3 near10 (message\$1 alert\$1 notification\$1) and compar\$3 near10 (broadcast target geographic\$3) near2 (location area) same (send\$3 transmit\$4 broadcast\$3) near10 (message\$1 alert\$1 notification\$1)	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 14:13
S9	75	(send\$3 transmit\$4) near10 (message\$1 alert\$1 notification\$1) same (verif\$4 verification authority authoriz\$3 authorization determin\$3) near10 jurisdiction	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 14:27
S11	22	mark near2 andrew near2 wood.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 14:43
S12	22	kevin near2 russell near2 preston.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 14:43
S13	25	douglas near2 weiser.in.	US-PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 14:43
S15	26	S11 S12 S13	US-	OR	OFF	2012/12/07

## EAST Search History


			PGPUB; USPAT; EPO; JPO; IBM_TDB			14:44
S17	58351	709/203-207,224-225.ccls.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:02
S18	76	(verif\$4 verification authority authoriz\$3 authorization) near10 (send\$3 transmit\$4) near10 (message\$1 alert\$1 notification\$1) near10 (broadcast target geographic\$3) near2 (location area)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:02
S19	54	(verif\$4 verification authority authoriz\$3 authorization) near10 (sender\$1 agent\$1 user\$1 originator) same (send\$3 transmit\$4) near10 (message\$1 alert\$1 notification\$1) near10 (broadcast target geographic\$3) near2 (location area)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:04
S21	661	(verif\$4 verification authority authoriz\$3 authorization) near10 (sender\$1 agent\$1 user\$1 originator) same (send\$3 transmit\$4 broadcast\$3) near10 (message\$1 alert\$1 notification\$1) near10 (location area)	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:07
S22	81	S17 and S21	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:08
S23	22	envisionit.as.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:21
S25	4146	455/403-404.1.ccls.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:21
S26	14	S25 and S21	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/07 15:21
S29	58351	709/203-207,224-225.ccls.	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/10 08:34
S31	544	(verif\$4 verification authority authoriz\$3	US-	OR	OFF	2012/12/10

EAST Search History

		authorization) same (send\$3 transmit\$4 broadcast\$3) near10 (emergency message\$1 alert\$1 notification\$1) same (geographic geographical\$2) near4 (jurisdiction\$1 location\$1 area\$1 region\$1)	PGPUB; USPAT; EPO; JPO; IBM_TDB			08:35
S33	41	S29 and S31	US- PGPUB; USPAT; EPO; JPO; IBM_TDB	OR	OFF	2012/12/10 08:35

12/ 10/ 2012 8:56:44 AM

C:\ Users\ jjoo\ Documents\ EAST\ Workspaces\ 13311448b.wsp

<b>Index of Claims</b> 	<b>Application/Control No.</b> 13311448	<b>Applicant(s)/Patent Under Reexamination</b> WOOD ET AL.
	<b>Examiner</b> JOSHUA JOO	<b>Art Unit</b> 2445

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

Claims renumbered in the same order as presented by applicant
  CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	04/21/2012	12/07/2012						
1	1	✓	=						
2	2	✓	=						
3	3	✓	=						
4	4	✓	=						
5	5	✓	=						
6	6	✓	=						
7	7	✓	=						
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16	16	✓	=						
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18	18	✓	=						
19	19	✓	=						
20	20	✓	=						





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NOTICE OF ALLOWANCE AND FEE(S) DUE

1688 7590 12/11/2012
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

EXAMINER

JOO, JOSHUA

ART UNIT PAPER NUMBER

2445

DATE MAILED: 12/11/2012

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/311,448 12/05/2011 Mark Andrew Wood ENIT 9834C2 9039

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE
nonprovisional YES \$885 \$300 \$0 \$1185 03/11/2013

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 SMALL ENTITY status shown above.

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

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

If the SMALL ENTITY is shown as NO:

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

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

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

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

**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)

1688 7590 12/11/2012  
 Polster, Lieder, Woodruff & Lucchesi, L.C.  
 12412 Powerscourt Dr. Suite 200  
 St. Louis, MO 63131-3615

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)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,448	12/05/2011	Mark Andrew Wood	ENIT 9834C2	9039

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$885	\$300	\$0	\$1185	03/11/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
JOO, JOSHUA	2445	709-203000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2</p> <p>_____ 3</p>
---	---

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 3.111. 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

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
---	--

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

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

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

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

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

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.





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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/311,448 12/05/2011 Mark Andrew Wood ENIT 9834C2 9039

1688 7590 12/11/2012
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Dr. Suite 200
St. Louis, MO 63131-3615

EXAMINER

JOO, JOSHUA

ART UNIT PAPER NUMBER

2445

DATE MAILED: 12/11/2012

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

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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

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

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

## Privacy Act Statement

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

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

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

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	13/311,448	WOOD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOSHUA JOO	2445	

**-- 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 Applicant's response filed on October 24, 2012.
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](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All   b)  Some\*   c)  None   of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

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

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  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 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),<br>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<br>of Biological Material | 7. <input type="checkbox"/> Other ____.  |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____.                      |  |

/Joshua Joo/  
Primary Examiner, Art Unit 2445

***Notice of Allowability***

Claims 1-20 are allowed.

**Reasons for Allowance**

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

Terminal Disclaimers filed on October 24, 2012 were approved.

Prior art of record discloses verifying an authority of a broadcast agent identification including an authority of an originating broadcast agent to send a broadcast message to a broadcast target area.

However, the prior art of record does not teach: storing a geographically defined broadcast message jurisdiction for a broadcast agent; verifying an authority of a broadcast agent identification including an authority of an originating broadcast agent to send a broadcast message to a broadcast target area by comparing the stored geographically defined broadcast message jurisdiction for the originating broadcast agent with the broadcast target area associated with the broadcast message in the broadcast request.

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**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7:30AM to 4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272-2092. 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).

/Joshua Joo/  
Primary Examiner, Art Unit 2445



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UNITED STATES DEPARTMENT OF COMMERCE  
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BIB DATA SHEET

CONFIRMATION NO. 9039

<b>SERIAL NUMBER</b> 13/311,448	<b>FILING or 371(c) DATE</b> 12/05/2011 <b>RULE</b>	<b>CLASS</b> 709	<b>GROUP ART UNIT</b> 2445	<b>ATTORNEY DOCKET NO.</b> ENIT 9834C2		
<b>APPLICANTS</b> Mark Andrew Wood, Haslemere, UNITED KINGDOM; Kevin Russell Preston, Newport, UNITED KINGDOM; Douglas Weiser, New Port Richey, FL; <b>** CONTINUING DATA *****</b> This application is a CON of 12/559,405 09/14/2009 PAT 8,073,903 which is a CON of 11/057,704 02/14/2005 PAT 7,752,259 which claims benefit of 60/544,739 02/13/2004 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **</b> 12/16/2011						
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>/JOSHUA JOO/</u> Examiner's Signature		<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> UNITED KINGDOM	<b>SHEETS DRAWINGS</b> 11	<b>TOTAL CLAIMS</b> 20	<b>INDEPENDENT CLAIMS</b> 2
<b>ADDRESS</b> Polster, Lieder, Woodruff & Lucchesi, L.C. 12412 Powerscourt Dr. Suite 200 St. Louis, MO 63131-3615 UNITED STATES						
<b>TITLE</b> BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD						
<b>FILING FEE RECEIVED</b> 595	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		




## EAST Search History

## EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S2	12	broadcast\$3 near5 (message\$1 notification\$1 alert\$1) same jurisdiction.clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/07 15:39
S3	37	(send\$3 transmit\$4) near5 (message\$1 notification\$1 alert\$1) same jurisdiction.clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/07 15:41
S6	8	(verif\$4 verification authority authenticat\$5 authoriz\$3 jurisdiction) near10 (agent\$1 sender\$1 user\$1 person\$1) same broadcast\$3 near5 (message\$1 notification\$1 alert\$1) near10 (area location city state region).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/07 15:45
S7	197	(verif\$4 verification authority authenticat\$5 authoriz\$3 jurisdiction) near10 (agent\$1 sender\$1 user\$1 person\$1) same (send\$3 transmit\$4) near5 (message\$1 notification\$1 alert\$1) near10 (area location city state region).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/07 15:50
S8	10	jurisdiction same broadcast\$3 near10 (target area location).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/07 15:55
S9	17	(verif\$4 verification authority authenticat\$5 authoriz\$3 jurisdiction) same (send\$3 transmit\$4) near5 (message\$1 notification\$1 alert\$1) near10 geographic\$3 near3 (area\$1 location\$1 region\$1).clm.	US-PGPUB; USPAT; UPAD	OR	OFF	2012/12/10 08:26

12/ 10/ 2012 8:31:46 AM

C:\Users\jjoo\Documents\EAST\Workspaces\13311448\_Interference.wsp

<b>Search Notes</b>  	<b>Application/Control No.</b>  13311448	<b>Applicant(s)/Patent Under Reexamination</b>  WOOD ET AL.
	<b>Examiner</b>  JOSHUA JOO	<b>Art Unit</b>  2445

SEARCHED			
Class	Subclass	Date	Examiner
709	203-204,224-225	12/7/2012	/JJ/
455	403-404.1	12/7/2012	/JJ/

SEARCH NOTES		
Search Notes	Date	Examiner
Searched in EAST and searched classes/subclasses with keyword combinations. See attached search history.	12/7/2012	/JJ/
Performed Inventor search in PALM and EAST.	12/7/2012	/JJ/
Performed Assignee search in EAST.	12/7/2012	/JJ/

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
	Interference search in EAST. See attached Interference search history.	12/7/2012	/JJ/

	/J.J./ Primary Examiner. Art Unit 2445
--	---



## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	15158752
<b>Application Number:</b>	13311448
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9039
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood
<b>Customer Number:</b>	1688
<b>Filer:</b>	David L. Howard
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	ENIT 9834C2
<b>Receipt Date:</b>	08-MAR-2013
<b>Filing Date:</b>	05-DEC-2011
<b>Time Stamp:</b>	15:42:22
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1185
RAM confirmation Number	2994
Deposit Account	162201
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Issue Fee Payment (PTO-85B)	ENIT_9834C2_Issue_Fee.pdf	101513 eb9924a1d649f14d305997eb8647439d7b535f75	no	1
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (SB06)	fee-info.pdf	32003 f088b891b4da28b0c8435aea664d07dee54a3b18	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				133516	
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>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.</b></p>					

**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)

1688 7590 12/11/2012  
**Polster, Lieder, Woodruff & Lucchesi, L.C.**  
 12412 Powerscourt Dr. Suite 200  
 St. Louis, MO 63131-3615

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.

David L. Howard	(Depositor's name)
	(Signature)
March 8, 2013	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,448	12/05/2011	Mark Andrew Wood	ENIT 9834C2	9039

TITLE OF INVENTION: BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$885	\$300	\$0	\$1185	03/11/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
JOO, JOSHUA	2445	709-203000

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 Polster, Lieder, Woodruff  
 2 & Lucchesi, L.C.  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
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(A) NAME OF ASSIGNEE EnvisionIT, LLC (B) RESIDENCE: (CITY and STATE OR COUNTRY) St. Charles, MO

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

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5. Change in Entity Status (from status indicated above)  
 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Authorized Signature  Date March 8, 2013  
 Typed or printed name David L. Howard Registration No. 41,502

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

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## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13311448			
<b>Filing Date:</b>	05-Dec-2011			
<b>Title of Invention:</b>	BROADCAST ALERTING MESSAGE AGGREGATOR/GATEWAY SYSTEM AND METHOD			
<b>First Named Inventor/Applicant Name:</b>	Mark Andrew Wood			
<b>Filer:</b>	David L. Howard/Kim Adler			
<b>Attorney Docket Number:</b>	ENIT 9834C2			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl Issue Fee	2501	1	885	885
Publ. Fee- Early, Voluntary, or Normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>1185</b>



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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,448	05/07/2013	8438221	ENIT 9834C2	9039

1688 7590 04/17/2013  
Polster, Lieder, Woodruff & Lucchesi, L.C.  
12412 Powerscourt Dr. Suite 200  
St. Louis, MO 63131-3615

### 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):

Mark Andrew Wood, Haslemere, UNITED KINGDOM;  
Kevin Russell Preston, Newport, UNITED KINGDOM;  
Douglas Weiser, New Port Richey, FL;

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