

REMARKS/ARGUMENTS

After the foregoing Amendment, claims 1-2, 8-12, 14-17, and 19-20 are currently pending in this application with claims 1, 11 and 16 being independent. Claims 3-7, 13 and 18 were previously canceled. Claims 1, 11 and 16 are amended.

Claim Rejections – 35 USC § 112

Claims 1, 2, 8-12, 14-17, 19 and 20 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (Pre-AIA), first paragraph, as failing to comply with the written description requirement. The applicant submits that after the forgoing amendment the rejection is moot as the identified language has been removed from the independent claims.

Withdrawal for the 35 U.S.C. 112(a) or 35 U.S.C. 112 (Pre-AIA), first paragraph, rejection of claims , 2, 8-12, 14-17, 19 and 20 is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 8, 11, 12, 15-17 and 20 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over to Yu et al. (US 2011/0098043) (hereinafter Yu) in view of Pirzada et al. (US 2006/0073847) (hereinafter Pirzada), Hakola et al. (US 2013/0013926) (hereinafter Hakola), and Van Phan et al. US 2015/0289125) (hereinafter Van Phan '125).

Claim 9 is rejected under pre-ALA 35 U.S.C. 103(a) as being unpatentable over Yu, Pirzada and Hakola, and Van Phan '125 as applied to claim 1 above, and further in view of Van Phan et al. (US 2015/0065154) (hereinafter Van Phan '154).

Claims 10, 14, and 19, are rejected under pre-ALA 35 U.S.C. 103(a) as being unpatentable over Yu, Pirzada and Hakola, and Van Phan '125 as applied to claims 1, 11, and 16 above, and further in view of Fodor et al. (US 2014/0122607) (hereinafter Fodor).

Applicant respectively traverses the rejection and submits that as amended independent claims 1, 11, and 16 recite features not taught, suggested, or otherwise yielded by the cited references. Specifically, amended claims 1, 11 and 16 each teach that the request message includes an “application layer ID that is an identification of the second WLAN ProSe Capable WTRU”. The Applicant respectfully submits that Yu does not teach this or suggest this element. Yu specifically teaches the use of “network-allocated” identifiers “D2D ID#B”, which is not an “application layer ID” as is required by the pending claims. Further, nothing in Pirzada, or Hakola cure this deficiency.

The office action has further identified paragraphs 16, 21, and 28 of Van Phan '125 as teaching that the request message includes an application layer ID that identifies the second WLAN ProSe Capable WTRU. In fact, Van Phan provides in paragraph 21 that, “... *[i]t may be understood that the base station 104 handles the configuration of the proximity services up to radio resource control (RRC) layer, the MME 132 handles the identifier allocation and other related functions, and the*

PSRC server 134 handles higher layer (application level) configuration of the proximity services, e.g. initiation and termination of the proximity services.”

Accordingly, it appears that the identifiers are handled by the MME, while the application level communication is handled by the PSRC server. Nowhere in Van Phan is a request message including an application layer ID of a second WLAN ProSe WTRU suggested or described.

The Advisory Action has also identified that Van Phan ‘125 paragraph 40 as teaching a request message that includes, “application layer ID that is an identification of the second WLAN ProSe Capable WTRU”. Van Phan ‘125, paragraph 40 provides that:

“the terminal device provides the PSRC server 134 with at least one other identifier of the terminal device 112 when registering to the proximity service. The at least one other identifier may be used to identify the terminal device to the proximity discovery devices that carry out the discovery procedure by using a different communication protocol than the communication protocol of the cellular communication system... In another embodiment, the other identifier may be an application layer identifier such as a cellular number (a mobile phone number) of the terminal device or a nickname of the terminal device registered to the proximity services.” (Van Phan ‘125, Paragraph 40)

While Van Phan ‘125 does contemplate an application layer ID, **there is no teaching of a terminal device sending request message that includes an application layer ID of a second terminal device**, as is required by the current pending claim. In fact, Van Phan ‘125 merely teaches a terminal device providing its own application layer ID to the PSRC server.

Further, as amended independent claims 1, 11 and 16 each teach that the configuration information includes a WLAN ProSe ID and a security key for use in establishing the WLAN ProSe connection. Yu does not teach or suggest sending configuration information over cellular that includes a WLAN ProSe ID and a security Key. The Office Action has cited Pirzada as teaching this element, however, Pirzada merely provides a list of parameters for an infrastructure mode and parameters for an adhoc mode, however, Pirzada is silent with respect to how the parameters for adhoc mode would be signaled and certainly does not contemplate sending them over cellular.

The Office Action has also cited Hakola as teaching that the configuration message is an implicit indication to establish the WLAN ProSe connection. However, Hakola teaches that a communication mode change command may include D2D security key information; however, Hakola's communication mode change command does not include any of the other configuration information as is required by the claims, and it is not clear that a ProSe connection could be established solely by the Hakola's communication mode change command, there for Hakola's communication mode change command is not the same as the presently claimed configuration information.

Accordingly, none of the 4 references cited teach or suggest either of a request message that include "an application layer ID" of a second ProSe Capable WTRU, or a configuration message that includes, "a WLAN ProSe ID... a security key, a frequency or channel number, and timing information" as is required by the

independent claims, and amended claims 1, 11, and 16 are not obvious over the cited art of record, and the Applicant believes these claims are allowable over all cited references of record.

Claims 2, 8-10, 12, 14-15, 17, 19, and 20 are ultimately dependent on one of claims 1, 11 and 16, which the Applicant believes are patentable as set forth above. As claims 2, 8-10, 12, 14-15, 17, 19, and 20 each depend from an allowable claim, Applicant respectfully submits that claims 2, 8-10, 12, 14-15, 17, 19, and 20 are similarly allowable.

Based on the arguments presented above, withdrawal of the 35 U.S.C. 103 rejections of the claims is respectfully requested.



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