IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Lane Bellow		Examiner:	Daniel Nile
Application No.:	14/000,000	Group Art Unit:	3683
Filed:	April 3, 2014	Attorney Docket No.:	8675309
For:	SYSTEM AND METHOD FOR WIRELESS COMMUNICATION BETWEEN MOBILE DEVICES	Confirmation No.:	1234

AMENDMENT

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

Dear Examiner Nile:

This Amendment is in response to the Office Action mailed April 24, 2014. This Amendment is timely because it is being submitted within the period for reply which expires July 24, 2014. Please enter and consider the following:

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the

application:

LISTING OF CLAIMS

1.   (Currently Amended) A system for establishing communication between

mobile devices, said system including:

a first mobile device;

a second mobile device; and

a server, wherein said server determines a first location of said first mobile device

by receiving GPS coordinates of said first mobile device, wherein said server determines

a second location of said second mobile device by receiving GPS coordinates of said

second mobile device, wherein said server communicates data to said first mobile device

and said second mobile device ~~only~~ when said second mobile device is located within a

proximity zone, wherein said proximity zone comprises a geographic area having a

predetermined radius surrounding said first mobile device, wherein said data

communicated to said first mobile device and said second mobile device includes a VOIP

signal, wherein said VOIP signal comprises a first audio data from said first mobile

device and a second audio data from said second mobile device, wherein said first audio

data and said second audio data are communicated from said first mobile device and said

You are literally saying that Both mobile devices are transmitting said 1st + 2nd audio data

second mobile device while said first mobile device and said second mobile device

concurrently receive said VOIP signal.

2.   (Original) The system of claim 1, wherein said proximity zone has a

radius of two meters.

3.   (Original) The system of claim 1, wherein said first mobile device and

said second mobile device are located within automobiles.

4.   (Original) The system of claim 1, wherein said first mobile device

includes a user interface, wherein said user interface allows a user of said first mobile

device to accept or reject communication with said second mobile device.

5.   (Canceled)

6.   (Currently Amended) A method for establishing communication between

mobile devices, said method including:

    determining a first location of a first mobile device by receiving GPS coordinates

of said first mobile device;

    determining a second location of a second mobile device by receiving GPS

coordinates of said second mobile device;

determining a proximity zone, wherein said proximity zone comprises a

geographic area having a predetermined radius surrounding said first mobile device; and

communicating data to said first mobile device and said second mobile device

~~only~~ when said second mobile device is located within said proximity zone, wherein said

data communicated to said first mobile device and said second mobile device includes a

VOIP signal, wherein said VOIP signal comprises a first audio data from said first mobile

device and a second audio data from said second mobile device, wherein said first audio

data and said second audio data are communicated from said first mobile device and said

second mobile device while said first mobile device and said second mobile device

concurrently receive said VOIP signal.

7.   (Original) The method of claim 6, wherein said proximity zone has a

radius of two meters.

8.   (Original) The method of claim 6, wherein said first mobile device and

said second mobile device are located within automobiles.

9.   (Original) The method of claim 6, further providing said first mobile

device with a user interface, wherein said user interface allows a user of said first mobile

device to accept or reject communication with said second mobile device.

10.   (Canceled)

11.   (Currently Amended) A method for establishing communication between mobile devices, said method including:

providing a first mobile device in a first automobile, wherein said first mobile device is a smartphone with GPS capabilities, wherein said first automobile is located on a first road;

providing a second mobile device in a second automobile, wherein said second mobile device is a smartphone with GPS capabilities, wherein said second automobile is located on a second road;

providing a database, wherein said database includes at least one database GPS coordinates, wherein said one database GPS coordinates are linked to data representing a road identity;

receiving first GPS coordinates of said first mobile device from said first mobile device;

accessing a database of associated roads and GPS coordinates;

determining a first database GPS coordinates in said database that is closest to said first GPS coordinates;

retrieving a first road identity that is linked to said first database GPS coordinates;

determining a first road that is associated with said first GPS coordinates in said database of associated roads and GPS coordinates;

receiving second GPS coordinates of said second mobile device from said second

mobile device;

~~accessing said database of associated roads and GPS coordinates;~~

determining a second database GPS coordinates in said database that is closest to

said second GPS coordinates;

retrieving a second road identity that is linked to said second database GPS

coordinates; and

~~determining a second road that is associated with said second GPS coordinates in~~

~~said database of associated roads and GPS coordinates; and~~

communicating data to said first mobile device and said second mobile device

~~only when said first GPS coordinates and said second GPS coordinates are associated~~

~~with the same road in said database of associated roads and GPS coordinates~~ when said

first road identity is the same as said second road identity, wherein said data

communicated to said first mobile device and said second mobile device includes a VOIP

signal, wherein said VOIP signal comprises a first audio data from said first mobile

device and a second audio data from said second mobile device, wherein said first audio

data and said second audio data are communicated from said first mobile device and said

second mobile device while said first mobile device and said second mobile device

concurrently receive said VOIP signal.

12.   (Canceled)

13.   (Original) The method of claim 11, further determining the direction that said first automobile is traveling on said first road by receiving GPS coordinates of said first mobile device and determining the direction that said second automobile is traveling on said second road by receiving GPS coordinates of said second mobile device.

14.   (Original) The method of claim 13, further communicating data between said first mobile device and said second mobile device only when said first automobile is traveling in the same direction on the same road as said second automobile.

15.   (Currently Amended) A method for establishing communication between mobile devices, said method including:

    providing a server, wherein said server includes a data storage unit;

    providing a first mobile device located in a first automobile;

    receiving from said first mobile device a first descriptive data that represents a first descriptive characteristic of said first automobile;

    storing said first descriptive data in said data storage unit;

    providing a second mobile device;

    receiving from said second mobile device a second descriptive data that represents a descriptive characteristic of an automobile; and

communicating data to said first mobile device and said second mobile device

when said second descriptive data represents said first descriptive characteristic of said

first automobile, wherein said data communicated to said first mobile device and said

second mobile device includes a VOIP signal, wherein said VOIP signal comprises a first

audio data from said first mobile device and a second audio data from said second mobile

device, wherein said first audio data and said second audio data are communicated from

said first mobile device and said second mobile device while said first mobile device and

said second mobile device concurrently receive said VOIP signal.

16.   (Canceled)

REMARKS

The present application includes claims 1-4, 6-9, 11, and 13-15. Claims 1-4, 6-9, 11, and 13-15 were rejected. By this Amendment, claims 1, 6, 11, and 15 have been amended.

Claims 11 and 13-14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 11 and 13-15 were rejected under 35 U.S.C. § 102(a)(1) as being anticipated by Washlow, U.S. Pat. App. No. 2013/0214939.

Claims 1-4 and 6-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over CB Radio Chat (http://www.cbradiochat.net/) application as described on the indicated website in view of Sullivan, U.S. Pat. No. 8,429,287.

The Applicant now turns to the rejection of claims 11 and 13-14 under 35 U.S.C. § 112, second paragraph. Claim 11 has been amended. Claims 13 and 14 depend from claim 11, which is respectfully submitted to be allowable. Consequently, it is respectfully submitted that the claims are in compliance with 35 U.S.C. § 112, second paragraph.

The Applicant now turns to the rejection of claims 11 and 13-15 under 35 U.S.C. § 102(a)(1) as being anticipated by Washlow. Although the Applicant maintains that

Washlow teaches a half-duplex system for communicating audio data between mobile devices such that a user may not simultaneously transmit and receive audio data, in the interests of speedily advancing prosecution the Applicant has made substantive amendments to independent claims 11 and 15 to add additional limitations not taught by the prior art.

As shown in Figure 17 and described beginning at Paragraph 192, Washlow teaches a system in which a user records a complete audio message that is subsequently stored on a server and transmitted to another user. Washlow does not teach a system for communicating data between mobile devices in which audio signals are concurrently received from a first mobile device and a second mobile device, combined into a single VOIP signal, and transmitted to both mobile devices. Such a full-duplex system allows a user to transmit audio data to at least one other device while simultaneously receiving audio data from at least one other device.

As amended, claims 11 and 15 recite that "said first audio data and said second audio data are communicated from said first mobile device and said second mobile device while said first mobile device and said second mobile device concurrently receive said VOIP signal." Consequently, claims 11 and 15 are respectfully submitted to be free of Washlow and allowable. Additionally, claims 13 and 14 depend from claim 11 and thus include all the limitations of claim 11. Consequently, claims 13 and 14 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 1-4 and 6-9 under 35 U.S.C. § 103(a) as being unpatentable over CB Radio Chat in view of Sullivan. With regard to CB Radio Chat, Examiner agrees on Page 2 of the Office Action that CB Radio Chat does not teach the creation of a combined audio file. As shown in Figures 14 and 15 and described beginning at Col. 27, Line 63, Sullivan teaches a system that stores audio files from a first device on a server and transmits the audio files to a second device from time to time upon request from the second device.

Sullivan does not teach a system for communicating data between mobile devices in which audio signals are concurrently received from a first mobile device and a second mobile device, combined into a single VOIP signal, and transmitted to both mobile devices. Such a full-duplex system allows a user to transmit audio data to at least one other device while simultaneously receiving audio data from at least one other device.

As amended, claims 1 and 6 recite that "said first audio data and said second audio data are communicated from said first mobile device and said second mobile device while said first mobile device and said second mobile device concurrently receive said VOIP signal." Consequently, claims 1 and 6 are respectfully submitted to be free of CB Radio Chat in view of Sullivan and allowable. Additionally, claims 2-4 and 7-9 depend from claims 1 and 6 and thus include all the limitations of claims 1 and 6. Consequently, claims 2-4 and 7-9 are also respectfully submitted to be allowable.

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CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the

Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any

overpayment to the Deposit Account of Papa Dels's Patents, Account No. 11111111.

Respectfully submitted,

Date: _____05/01/2014_____   _____/8675309/_____
                                        8675309
                                        Registration No. 1111

PAPA DELS'S PATENTS
504 East Pennsylvania Ave.
Champaign, IL 61820

Telephone: (217) 333-0931
Facsimile: (217) 244-1478