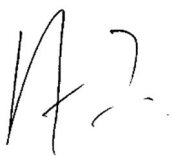


	Espacio reservado para el adhesivo de radicación
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DIRECCIÓN DE NUEVAS CREACIONES
Procedimiento acelerado de exámenes de patente (PPH)

1	NÚMERO DE SOLICITUD ANTE LA SIC NC2021/0000098			
2	GLOBAL - PPH ☒ PAÍS ESTADOS UNIDOS DE AMÉRICA	3	PCT – PPH ☐ PAÍS	
4	PROSUR ☐ PAÍS	5	Alianza del Pacífico (AdP) ☐ PAÍS	
6	OFICINA DE PRIMERA PRESENTACIÓN (OPP) ☐	7	OFICINA DE EXAMEN ANTERIOR (OEA) ☐	
8	NÚMERO DE SOLICITUD O PUBLICACIÓN DE LA SOLICITUD (OPP) ☐ NÚMERO DE SOLICITUD EN OFICINA DE EXAMEN ANTERIOR (OEA): ☒ NÚMERO DE SOLICITUD PCT: ☐		1. US 17/153,331	
9	☐ REPRESENTANTE LEGAL ☒ APODERADO			
APELLIDOS RINCÓN USCÁTEGUI		NOMBRES JOSÉ ANDRÉS		IDENTIFICACIÓN C.C. 79.780.910 T.P. 114.908
DIRECCIÓN Carrera 4 # 72A - 35		No. TELÉFONO 3473611		
CIUDAD Bogotá, D.C.		CORREO ELECTRÓNICO cavelier@cavelier.com		
PAÍS COLOMBIA		No. RADICACIÓN O PROTOCOLO DE PODER GENERAL		
10	CONDICIONES PARA ACCEDER A ESTE PROCESO:			
10.1. DATOS DE PRIORIDAD ☒ SI ☐ NO				
(33) PAÍS DE ORIGEN 1. México		CÓDIGO PAÍS MX	(31) NÚMERO MX/a/2020/01393 2	(32) FECHA (AAAA/MM/DD) 2020/12/17
10.2. DATOS SOLICITUD INTERNACIONAL PCT ☐ SI ☒ NO				
Solicitud Internacional No. PCT/		Fecha		
Publicación Internacional No. WO/		Fecha		
*El solicitante presenta una copia de la(s) reivindicación(es) patentable(s) u otorgable(s) de la solicitud de la Oficina de Primera Presentación que profirió el examen de patentabilidad, junto con una traducción al castellano. ☒ SI ☐ NO				
*El solicitante presenta los resultados de búsqueda de la Oficina de Examen Anterior, junto con una traducción al castellano ☐ SI ☐ NO				
REQUISITOS PARA EL RECONOCIMIENTO DE LOS RESULTADOS DE EXÁMENES DE PATENTABILIDAD EFECTUADOS A SOLICITUDES EXTRANJERAS				
Para que la Superintendencia de Industria y Comercio pueda reconocer los resultados de exámenes de patentabilidad producidos por otras Oficinas de Propiedad Industrial se debe cumplir con las siguientes condiciones:				
(a) Al momento de solicitar el examen de patentabilidad, si el solicitante pide que se reconozcan exámenes de patentabilidad de otras oficinas extranjeras, deberá aportar junto con el pago de la tasa correspondiente, los siguientes anexos:				
(i) Copia de las resoluciones, fallos o decisiones que han sido relevantes para la determinación de la patentabilidad de la(s) solicitud(es) en la Oficina que haya proferido el examen de patentabilidad que contienen reivindicaciones patentables u otorgables que son la base de la petición, y si es del caso, su traducción al castellano. ☒ SI ☐ NO				
(ii) Copia de todas las reivindicaciones determinadas como patentables u otorgables en la Oficina que profirió el examen de patentabilidad y, si es del caso, su traducción al castellano. ☒ SI ☐ NO				
(iii) Copia de los antecedentes, información o documentos citados por el examinador de la Oficina de Primera Presentación del examen de patentabilidad, en las resoluciones, fallos o decisiones correspondientes, incluyendo la literatura no patente. Los documentos de patente deberán presentarse siempre y cuando no estén disponibles para la Superintendencia de Industria y Comercio mediante el simple acceso a bases de datos gratuitas. ☐ SI ☒ NO				
(iv) Una tabla de correspondencias de las reivindicaciones que han sido determinadas como patentables u otorgables en la solicitud de la Oficina que haya proferido el examen de patentabilidad. ☒ SI ☐ NO				
11	FIRMA DEL SOLICITANTE, DEL APODERADO O DEL REPRESENTANTE LEGAL Junto a cada firma, indicar el nombre del firmante y su calidad (si tal calidad no es obvia al leer el petitorio)			
 ANDRÉS RINCÓN USCÁTEGUI C.C. No. 79.780.910 de Bogotá T.P.A. No. 114.908 del C.S.J.				

10 (iv)	TABLA DE CORRESPONDENCIA DE REIVINDICACIONES		
Reivindicaciones en la solicitud en Colombia		Reivindicaciones otorgables en la Oficina de Examen Anterior	Explicación sobre la suficiente correspondencia ó Comentarios que explican la correspondencia
Reivindicación 1		Reivindicación 1	<i>Las reivindicaciones 1 a 10 del capítulo reivindicatorio de la solicitud NC2021/0000098 presentadas, corresponden a las reivindicaciones 1, 2 y 5 a 12, respectivamente, concedidas por la USPTO.</i>
Reivindicación 2		Reivindicación 2	
Reivindicación 3		Reivindicación 5	
Reivindicación 4		Reivindicación 6	
Reivindicación 5		Reivindicación 7	
Reivindicación 6		Reivindicación 8	
Reivindicación 7		Reivindicación 9	
Reivindicación 8		Reivindicación 10	
Reivindicación 9		Reivindicación 11	
Reivindicación 10		Reivindicación 12	

5. Copia de las reivindicaciones que han sido determinadas por la USPTO como otorgables con su respectiva traducción al español;
6. Nuevo capítulo reivindicatorio conformado por 10 reivindicaciones, correspondiente a las reivindicaciones 1-2 y 5-12 consideradas otorgables por la USPTO actuando como Oficina de Examen Anterior.
7. Comprobante de pago por concepto de modificación del capítulo reivindicatorio.
8. Finalmente, a continuación, se encuentra la tabla donde se consigna la correspondencia de las reivindicaciones que han sido concedidas por la USPTO y las presentadas junto con este memorial ante la SIC como modificación voluntaria.

TABLA DE CORRESPONDENCIA

Reivindicaciones presentadas ante la SIC como OSP junto con este memorial	Reivindicaciones consideradas patentables por la USPTO
Reivindicación 1	Reivindicación 1
Reivindicación 2	Reivindicación 2
Reivindicación 3	Reivindicación 5
Reivindicación 4	Reivindicación 6
Reivindicación 5	Reivindicación 7
Reivindicación 6	Reivindicación 8
Reivindicación 7	Reivindicación 9
Reivindicación 8	Reivindicación 10
Reivindicación 9	Reivindicación 11
Reivindicación 10	Reivindicación 12

Se considera entonces, que las reivindicaciones presentadas son “suficientemente correspondientes” a las concedidas por la USPTO, ya que las reivindicaciones presentadas ante la SIC se refieren a la misma materia que aquella consideradas como otorgables por la Oficina de Examen Anterior (OEA).

Cumpliendo así lo dispuesto para que una solicitud sea aceptada en el procedimiento acelerado de exámenes de patente entre la USPTO actuando como Oficina de Examen Anterior (OEA) y la SIC como Oficina de Segunda Presentación, atentamente solicito que se continúe con el trámite correspondiente a esta solicitud de patente de invención.

Señora Directora,

ANDRÉS RINCÓN USCÁTEGUI

CC 79.780.910 de Bogotá

TP 114.908

Señora Directora

DIRECCIÓN DE NUEVAS CREACIONES

Superintendencia de Industria y Comercio

E. S. D

Referencia : Expediente No. Exp. NC2021/0000098
Asunto : Solicitud de patente para MÉTODO Y SISTEMA DE CONTROL
 REMOTO DEL ACCESO A ELECTRODOMÉSTICOS CON OPCIÓN DE
 FINANCIACIÓN
Solicitante : PAYJOY INC.
Fecha de solicitud : 8 de enero de 2021

MODIFICACIONES VOLUNTARIAS

ANDRÉS RINCÓN USCÁTEGUI, identificado como aparece al pie de mi firma, obrando como apoderado de la sociedad solicitante para el asunto en referencia, doy alcance a mi memorial de PPH con el fin de modificar el capítulo reivindicatorio actualmente presentado.

I. EN CUANTO AL CAPÍTULO REIVINDICATORIO

Junto con el presente memorial aporto un nuevo capítulo reivindicatorio, conformado por 10 reivindicaciones, el cual encuentra pleno soporte en el capítulo reivindicatorio originalmente presentado y la descripción, tal como se muestra a continuación:

Nueva reivindicación	Soporte
1	Reivindicación 1 originalmente presentada y, por lo menos, Figuras 11 a 15

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www.cavelier.com
cavelier@cavelier.com

2	Reivindicación 2 originalmente presentada
3	Reivindicación 5 originalmente presentada
4	Reivindicación 6 originalmente presentada
5	Reivindicación 7 originalmente presentada
6	Reivindicación 8 originalmente presentada
7	Reivindicación 9 originalmente presentada
8	Reivindicación 10 originalmente presentada
9	Reivindicación 11 originalmente presentada
10	Reivindicación 12 originalmente presentada

En vista de lo anterior, me permito resaltar que el nuevo capítulo reivindicatorio presentado se ajusta completamente a lo exigido por el Artículo 34 de la Decisión 486 de 2000, ya que no constituye una ampliación de la protección que correspondería a la divulgación contenida en la solicitud inicial.

II. PETICIÓN

Amablemente solicito a ese Despacho aceptar las modificaciones aquí presentadas y considerar el capítulo reivindicatorio adjunto al presente memorial durante las etapas siguientes del trámite administrativo de la solicitud de patente de referencia.

III. ANEXOS

1. Nuevo capítulo reivindicatorio conformado por 10 reivindicaciones.
2. Pago en línea por concepto de modificación del capítulo reivindicatorio.

Señora Directora,

ANDRÉS RINCÓN USCÁTEGUI

C.C. 79.780.910 de Bogotá

T.P. 114.908

REIVINDICACIONES

1. Un método de control remoto de un dispositivo de comunicación; el método incluye lo siguiente:

un procesador de una infraestructura de terceros que transmite, de forma inalámbrica, un sistema operativo (SO) de terceros al dispositivo de comunicación, en el cual el dispositivo de comunicación comprende un teléfono móvil que ejecuta instrucciones que abarcan,

un programa de gestor de cargas compatible con un comando de "bloqueo" y un comando de "desbloqueo"; y

una clave criptográfica en firmware;

el SO de terceros transmitido de forma inalámbrica que abarca,

una aplicación privilegiada que se comunica con el procesador de la infraestructura de terceros y con el dispositivo de comunicación, en donde la aplicación privilegiada proporciona privilegios especiales del sistema de operación a instalar:

una aplicación de seguridad con privilegios requeridos para controlar el dispositivo de comunicación, en donde la aplicación de seguridad se comunica con un bloque de datos de control del dispositivo de comunicación y con la infraestructura de terceros; y

una aplicación de pago que trabaja mediante la aplicación de seguridad, en donde la aplicación de pago se comunica con la infraestructura de terceros;

el SO de terceros transmitido de forma inalámbrica que controla el dispositivo de comunicación, en el cual el control abarca,

inhabilitar y habilitar de forma selectiva el dispositivo de comunicación, inhabilitar y habilitar de forma selectiva ciertas funciones del dispositivo de comunicación;

ejecutar el comando de "bloqueo";

inhabilitar el comando de "desbloqueo" al evitar que el programa del gestor de cargas ejecute una llamada al comando de "desbloqueo";

evitar que un usuario manipule el software de control del dispositivo de comunicaciones;

alterar el código binario del programa de gestor de cargas del dispositivo de comunicación para evitar que el programa de gestor de cargas reciba nuevos paquetes de software y

evitar que el usuario altere o sobrescriba el SO de terceros; y

en donde la aplicación paga interactúa además con el usuario, incluyendo ,

el procesador de una infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el dispositivo de comunicación carece de tarjeta SIM, y muestra botones que permiten al usuario pagar, solicitar ayuda o navegar a una página de inicio de una aplicación administrada por la entidad que instaló el SO de terceros;

el procesador de la infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el dispositivo de comunicación debe estar conectado a internet después de realizar un pago para garantizar la actualización del crédito del usuario; y

si el usuario no tiene acceso a internet, el procesador de la infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el usuario puede ponerse en contacto con el soporte pulsando un botón de "llamar a atención al cliente" en el dispositivo de comunicación para obtener un código que permita al usuario actualizar su crédito, en el que el usuario puede luego introducir el código para hacer que el dispositivo de comunicación muestre el crédito restante y la próxima fecha de vencimiento del pago.

2. El método de la reivindicación 1, en el que el control del dispositivo de comunicación además comprende alterar una clave criptográfica en el firmware para que la clave criptográfica en el firmware deje de coincidir con la clave criptográfica del SO de terceros.

3. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario:

pagar mediante el dispositivo de comunicación;

recibir una solicitud para realizar un pago en una tienda; y

solicitar asistencia.

4. El método de la reivindicación 1, en el que la interfaz de usuario además le notifica al usuario que:

no se detecta servicio de internet; y

se recomienda al usuario verificar las configuraciones del Wi-Fi y el plan de datos de la compañía telefónica.

5. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario:

hacer una llamada de emergencia; y
llamar a atención al cliente.

6. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario ingresar el código obtenido para acceder a funciones adicionales del dispositivo de comunicación, a pesar de que el dispositivo de comunicación haya sido bloqueado; en donde el código es obtenido por el usuario de un contacto de atención al cliente que está activado en el dispositivo de comunicación.

7. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario acceder a una función de línea vital que activa temporalmente el dispositivo de comunicación incluso cuando el dispositivo de comunicación haya sido desactivado por falta de pago.

8. El método de la reivindicación 1, en el que la aplicación de seguridad bloquea el dispositivo de comunicación para una red de comunicaciones en particular.

9. El método de la reivindicación 1, en el que la interfaz del usuario además le permite al usuario realizar pagos para otros usuarios con los cuales el usuario comparte una cuenta.

10. El método de la reivindicación 1, en el que la aplicación de seguridad bloquea funciones específicas del dispositivo de comunicación, incluidas diferentes aplicaciones del teléfono, pero permite las llamadas telefónicas entrantes y salientes.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/153,331	01/20/2021	Douglas James RICKET	PAYJ P003	2289
15360	7590	12/22/2021	EXAMINER	
Michael C. Martensen, P.C. 30 E. Kiowa St., Suite 101 Colorado Springs, CO 80903			SIMITOSKI, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2493	
			NOTIFICATION DATE	DELIVERY MODE
			12/22/2021	ELECTRONIC

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

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

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

docket@martensenip.com
julie@martensenip.com

Notice of Pre-AIA or AIA Status

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

DETAILED ACTION

2. The response of 11/23/2021 was received and considered.
3. Claims 1-2 and 5-12 are pending.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/23/2021 has been entered.

Response to Arguments

5. Applicant's arguments filed 11/23/2021 have been fully considered but they are not persuasive.
 - a. Applicant's remarks (§103 A-D) refers to the amended limitations, which will be addressed below. Initially, it is noted that "indicating" ("indicating that the communication device lacks a SIM card ", "indicating that the communication device must be connected to the Internet", "indicating to the user that the user may contact support") represents presenting information the user, the content of the information being non-functional descriptive material. A skilled artisan would have found notifying a user of various aspects of context or device function to be obvious in view of Ricket and the prior art as a whole and thus indicating the

above information to the user would have been an obvious modification of Ricketts. Note that, even if the limitations were recited as features of the device, the prior art teaches determining that a SIM is present (US 2020/0296196 A1 to Cohen, ¶19). Further, Velusamy teaches a device that displays buttons that allow the user to pay, request help, or navigate to a home page of the an application administered by the entity that installed the third party OS (Fig. 3). Also note that navigating to a home page of an entity was well known in the art to provide support for software (support web page, knowledgebase, etc.). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Rickett to include displaying buttons that allow the user to pay, request help, or navigate to a home page of the an application administered by the entity that installed the third party OS to comply with government regulations (¶126) and to enable payment (¶126), as taught by Velusamy. Further, Shore teaches that it was known to unlock a locked device by contacting customer support, receiving an access code and inputting the access code into the locked device (¶316). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Rickett, as modified above, to include indicating to the user that the user may contact support at the entity that installed the third party device to obtain a code that allows the user to update their credit, and the user then may enter the code to cause the communication device to display credit remaining and next payment due date to enable a customer service representative to assist and payment and unlocking of the device, as taught by Shore.

b. Applicant's remarks (§103 E) argues Shore teaches activating a replacement device and thus does not meet the limitation "additional functions of the communication device".

However, Velusamy teaches that it was known, in a device that can be locked for a payment default (¶14) to provide a user interface enabling a user to make an emergency call and make a

call to customer support (Figs. 3-4). Further, Shore teaches that it was known to unlock a locked device by contacting customer support, receiving an access code and inputting the access code into the locked device (¶316). A skilled artisan would have found it obvious to utilize the mobile phone functionality presented in Velusamy (contacting support) and Shore (receiving a code via an active contact/phone call) in the mobile phone of Ricket to activate features of the device itself.

c. Applicant's remarks (§103 F-G) refers to arguments addressed above with respect to claim 1.

d. Applicant's remarks (§103 H) argues that "wherein the security application locks selected features of the communication device, including various phone apps, while allowing incoming and outgoing calls" is not taught in the proposed combination because Singh (cited for allowing calls) does not address the situation in which a device is locked under the claimed circumstances of by the mechanisms claimed. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (¶4), to lock commonly used functionality, including various applications (¶83), while allowing emergency calls (Fig. 3). Velusamy provides a rationale for the security application to lock features in a standard phone, while allowing calls. Ricket and Velusamy lack allowing specifically incoming calls. However, Singh teaches a device operating in a locked mode allowing an emergency call and incoming calls in response to the emergency call (¶53). The Examiner respectfully maintains that, in combination, Singh's description of allowing incoming calls would have motivated a skilled artisan to modify the prior art to enable incoming calls while locking additional functionality from the device, per Ricket.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112(a):

(a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of the first paragraph of pre-AIA 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-12 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 enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

e. Regarding claims 1 and 8, the claim recites “user may contact support at the entity that installed the third party device to obtain a code that allows the user to update their credit, and the user then may enter the code to cause the communication device to display credit remaining and next payment due date”. However, the specification does not describe how the code is create and/or interpreted such that the resultant “cause the communication device to display credit remaining and next payment due date” is achieved and thus does not enable a skilled artisan to make the invention.

8. The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-12 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor (or for applications subject to pre-AIA 35 U.S.C. 112, the applicant), regards as the invention.

f. Regarding claim 1, line 36, the limitation “the third party device” lacks sufficient antecedent basis.

Claim Rejections - 35 USC § 103

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

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 2 and 7-10 are rejected under 35 U.S.C. 103 as being unpatentable over US 2019/0228401 A1 to Ricket et al. (**Ricket**), in view of US 2021/0021702 A1 to Gudivada et al. (**Gudivada**), US 2018/0367677 A1 to Velusamy et al. (**Velusamy**) and US 2003/0149662 A1 to **Shore**.

Regarding claim 1, Ricket discloses method for remote management of a communication device, the method comprising: a processor of a third party infrastructure wirelessly transmitting a third party operating system (OS) to the communication device (¶121, claim 1), wherein the communication device

Art Unit: 2493

comprises a mobile phone executing instructions (Fig. 9, 900, claim 1) comprising, a bootloader program that supports a "lock" command and an "unlock" command (¶36, ¶47, claim 1); and a cryptographic key in firmware (¶36, ¶47, claim 1); the wirelessly transmitted third party OS comprising, a privileged application (software app 102, ¶30) that communicates with the processor and with the communication device (Fig. 9, claim 1), wherein the privileged application provides special operating system privileges to install a security application with required privileges to control the communication device (¶60), wherein the security application communicates with a control data block of the communication device (Fig. 9, claim 1); a pay application that works through the security application (AMS communicates an appliance identification to establish payment receipt (¶19); the wirelessly transmitted third party OS controlling the communication device, wherein controlling comprises, selectively disabling and enabling the communication device (¶27, claim 1), selectively disabling and enabling certain functions of the communication device (¶27, claim 1); executing the "lock" command (¶36, claim 1); disabling the "unlock" command by preventing the bootloader program from executing an "unlock" command call (¶36, claim 1); preventing a user from tampering with control software of the communication device (¶30, claim 1); altering binary code of the bootloader program of the communication device to prevent the bootloader program from receiving new software packages (¶32, claim 2) and preventing the user from altering or overwriting the third party OS (¶51, claim 1). Ricket lacks wherein the privileged application and the security application further enable the user to: view a number of hours credit remaining; and view a payment due date. However, Gudivada teaches that it was known for a device to utilize a user interface that enables a user to view a number of hours remaining (¶18) until a payment due date. While Gudivada lacks explicitly displaying the due date, the information is available to the device and thus displaying it to a user would have been obvious to a skilled artisan. Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket such that the privileged application and the security application (the

applications that enable the user to apply for financial credit) further enable the user to: view a number of hours credit remaining; and view a payment due date. One of ordinary skill in the art would have been motivated to perform such a modification to encourage a user to pay, as taught by Gudivada. As modified, Ricket lacks the payment application interacting with the user including indicating that the communication device lacks a SIM card; indicating that the communication device must be connected to the Internet after a payment is made to ensure that the user's credit is updated; If the user has no access to the Internet, indicating to the user that the user may contact support at the entity that installed the third party device to obtain a code that allows the user to update their credit, and the user then may enter the code to cause the communication device to display credit remaining and next payment due date.

Initially, it is noted that "indicating" ("indicating that the communication device lacks a SIM card", "indicating that the communication device must be connected to the Internet", "indicating to the user that the user may contact support") represents presenting information the user, the content of the information being non-functional descriptive material. A skilled artisan would have found notifying a user of various aspects of context or device function to be obvious in view of Ricket and the prior art as a whole and thus indicating the above information to the user would have been an obvious modification of Rickets. Note that, even if the limitations were recited as features of the device, the prior art teaches determining that a SIM is present (US 2020/0296196 A1 to Cohen, ¶19).

Further, Velusamy teaches a device that displays buttons that allow the user to pay, request help, or navigate to a home page of the an application administered by the entity that installed the third party OS (Fig. 3). Also note that navigating to a home page of an entity was well known in the art to provide support for software (support web page, knowledgebase, etc.). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket to include displaying buttons that allow the user to pay, request help, or navigate to a

home page of the an application administered by the entity that installed the third party OS. One of ordinary skill in the art would have been motivated to perform such a modification to comply with government regulations (§126) and to enable payment (§126), as taught by Velusamy.

Further, Shore teaches that it was known to unlock a locked device by contacting customer support, receiving an access code and inputting the access code into the locked device (§1316).

Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, to include indicating to the user that the user may contact support at the entity that installed the third party device to obtain a code that allows the user to update their credit, and the user then may enter the code to cause the communication device to display credit remaining and next payment due date. One of ordinary skill in the art would have been motivated to perform such a modification to enable a customer service representative to assist and payment and unlocking of the device, as taught by Shore.

Regarding claim 2, Ricket discloses wherein controlling the communication device further comprises altering a cryptographic key in firmware (§136, §147, claim 3) such that the cryptographic key in firmware no longer matches a cryptographic key of the third party OS.

Regarding claim 7, Ricket, as modified above, lacks wherein the user interface further enables the user to make an emergency call and make a call to customer support. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (§14) to provide a user interface enabling a user to make an emergency call and make a call to customer support (Figs. 3-4). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to make an emergency call and make a call to customer support. One of ordinary skill in the art would have been motivated to perform such a modification to comply with government regulations (§126) and to enable payment (§126), as taught by Velusamy.

Regarding claim 8, Ricket, as modified above, lacks wherein the user interface further enables the user to enter a code to access additional functions of the communication device even though the communication device has been locked, wherein the code is obtained by the user from a customer support contact that is active on the communication device. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (§4) to provide a user interface enabling a user to make an emergency call and make a call to customer support (Figs. 3-4). Further, Shore teaches that it was known to unlock a locked device by contacting customer support, receiving an access code and inputting the access code into the locked device (§316). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to enter a code to access additional functions of the communication device even though the communication device has been locked, wherein the code is obtained by the user from a customer support contact that is active on the communication device. One of ordinary skill in the art would have been motivated to perform such a modification to enable a customer service representative to assist and payment and unlocking of the device, as taught by Velusamy and Shore.

Regarding claim 9, Ricket, as modified above, lacks wherein the user interface further enables the user to access a lifeline feature that causes the communication device to be temporarily activated even when the communication device has been inactivated for lack of payment. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (§4) to provide a user interface enabling a user to make an emergency call and make a call to customer support (Figs. 3-4). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to access a lifeline feature that causes the communication device to be temporarily activated even when the communication device has been inactivated for lack of payment. One of

ordinary skill in the art would have been motivated to perform such a modification to enable the user to return his or her account to good standing, as taught by Velusamy.

Regarding claim 10, Ricket lacks wherein the security application locks the communication device to a particular communications network. However, Velusamy teaches that it was known to lock a communication device to a particular communications network as part of a user agreement (§§2-4). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket such that the security application locks the communication device to a particular communications network. One of ordinary skill in the art would have been motivated to perform such a modification to prevent the user from using the device outside of a user agreement, as taught by Velusamy.

13. Claim 5 is rejected under 35 U.S.C. 103 as being unpatentable over **Ricket, Gudivada, Velusamy** and **Shore**, as applied to claim 1 above, in view of and “Add money to your PayPal account with PayPal CASH” by **Paypal**.

Regarding claim 5, Ricket, as modified above, lacks wherein the user interface further enables the user to: pay using the communication device; receive a request to make a payment at a store; and request help. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (§4) to provide a user interface enabling a user to make an emergency call and make a call to customer support (Figs. 3-4, 336, 334) and provide an option to pay using the communication device (Fig. 3, 332). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to: pay using the communication device; and request help. One of ordinary skill in the art would have been motivated to perform such a modification to comply with government regulations (§26) and to enable payment (§26), as taught by Velusamy. Further, PayPal

teaches that it was known to provide a user with the option to receive a request to add money to an account using a physical location (pp. 1-2). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to receive a request to make a payment at a store. One of ordinary skill in the art would have been motivated to perform such a modification to provide a user with an option to pay with cash, as taught by PayPal.

14. Claim 6 is rejected under 35 U.S.C. 103 as being unpatentable over **Ricket, Gudivada, Velusamy** and **Shore**, as applied to claim 1 above, in view of US 2017/0325111 A1 to Reese et al. (**Reese**) and “Best 9 ways to Fix iPhone Cellular Data Not Working” (6/1/2018) by **Chatterjee**.

Regarding claim 6, Ricket lacks wherein the user interface further notifies the user that: no Internet service is detected; and the user is advised to check WiFi settings and carrier data plan. However, Reese teaches that it was known to notify a user that no Internet service is detected (Fig. 10) and suggest solutions (Fig. 10). Further, Chatterjee teaches that solutions for connectivity issues were known to include enabling cellular data (p. 1), checking carrier updates (p. 2) and connecting to WiFi (p. 3). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further notifies the user that: no Internet service is detected; and the user is advised to check WiFi settings and carrier data plan. One of ordinary skill in the art would have been motivated to perform such a modification to inform users of known solutions to connectivity issues, as taught by Reese and Chatterjee.

15. Claim 11 is rejected under 35 U.S.C. 103 as being unpatentable over **Ricket, Gudivada, Velusamy** and **Shore**, as applied to claim 1 above, in view of US 2002/0101966 A1 to **Nelson**.

Regarding claim 11, Ricket, as modified above, lacks wherein the user interface further enables the user to make payments for other users that share an account with the user. However, Velusamy teaches providing a user interface for a user to make a payment for an account (Fig. 3). Further, Nelson teaches that it was known to provide a single pre-paid account associated with multiple devices, such as for members of a family (¶23). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the user interface further enables the user to make payments for other users that share an account with the user. One of ordinary skill in the art would have been motivated to perform such a modification to enable the user to make payments, as per Velusamy, and to enable the payment to benefit an account shared by multiple users, as taught by Nelson.

16. Claim 12 is rejected under 35 U.S.C. 103 as being unpatentable over **Ricket, Gudivada, Velusamy** and **Shore**, as applied to claim 1 above, in view of US 2011/0076981 A1 to Singh et al. (**Singh**).

Regarding claim 12, Ricket, as modified above, lacks wherein the security application locks selected features of the communication device, including various phone apps, while allowing incoming and outgoing phone calls. However, Velusamy teaches that it was known, in a device that can be locked for a payment default (¶4), to lock commonly used functionality, including various applications (¶83), while allowing emergency calls (Fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, such that the security application locks selected features of the communication device, including various phone apps, while allowing outgoing phone calls. One of ordinary skill in the art would have been motivated to perform such a modification to enable limited use of the device to encourage payment, as taught by Velusamy. As modified, Ricket lacks allowing specifically incoming calls. However, Singh teaches a device operating in a locked mode allowing an emergency call and incoming

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calls in response to the emergency call (¶153). Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the claimed invention to modify Ricket, as modified above, to allow incoming phone calls. One of ordinary skill in the art would have been motivated to perform such a modification to enable response calls in emergencies, as taught by Singh.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL J SIMITOSKI whose telephone number is (571)272-3841. The examiner can normally be reached on Monday - Friday, 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Colin can be reached on 571-272-38623862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Michael Simitoski/
Primary Examiner, Art Unit 2493

December 15, 2021

<i>Notice of References Cited</i>	Application/Control No. 17/153,331		Applicant(s)/Patent Under Reexamination RICKET et al.	
	Examiner MICHAEL J SIMITOSKI		Art Unit 2493	Page 1 of 1

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

IN THE UNITED STATES PATENT OFFICE

In Re Patent Application of:

Douglas James RICKET

Application No. 17/153,331

Filed: January 20, 2021

For: METHOD AND SYSTEM FOR REMOTE
MANAGEMENT OF ACCESS TO APPLIANCES

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) Examiner: Michael J.
) Simitoski
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) Art Unit: 2493
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Office action mailed December 22, 2021. Before reconsideration of the application, please enter the following amendments and consider the Remarks.

IN THE CLAIMS

Amend the claims as indicated below.

1. (Currently amended) A method for remote management of a communication device, the method comprising:

a processor of a third party infrastructure wirelessly transmitting a third party operating system (OS) to the communication device, wherein the communication device comprises a mobile phone executing instructions comprising,

a bootloader program that supports a “lock” command and an “unlock” command; and

a cryptographic key in firmware;

the wirelessly transmitted third party OS comprising,

a privileged application that communicates with the processor of the third party infrastructure and with the communication device, wherein the privileged application provides special operating system privileges to install:

a security application with required privileges to control the communication device, wherein the security application communicates with a control data block of the communication device and with the third party infrastructure; and

a pay application that works through the security application, wherein the pay application communicates with the third party infrastructure;

the wirelessly transmitted third party OS controlling the communication device, wherein controlling comprises,

selectively disabling and enabling the communication device, selectively disabling and enabling certain functions of the communication device;

executing the “lock” command;

disabling the “unlock” command by preventing the bootloader program from executing an “unlock” command call;

preventing a user from tampering with control software of the communication device;

altering binary code of the bootloader program of the communication device to prevent the bootloader program from receiving new software packages and

preventing the user from altering or overwriting the third party OS; and

wherein the pay application further interacts with the user, including,
indicating the processor of the third party infrastructure through the
third party operating system presenting to the user on a display of the communication
device that the communication device lacks a SIM card, and displaying buttons that allow
the user to pay, request help, or navigate to a home page of an application administered
by the entity that installed the third party OS;

indicating the processor of the third party infrastructure through the
third party operating system presenting to the user on a display of the communication
device that the communication device must be connected to the internet after a payment
is made to ensure that the user's credit is updated; and

if the user has no access to the internet, indicating the processor of
the third party infrastructure through the third party operating system presenting to the
user on a display of the communication device ~~to the user~~ that the user may contact
support by pressing a "call customer support" button on the communication device ~~at the~~
~~entity that installed the third party device~~ to obtain a code that allows the user to update
their credit, wherein ~~and~~ the user then may enter the code to cause the communication
device to display credit remaining and next payment due date.

2. (Original) The method of claim 1, wherein controlling the communication
device further comprises altering a cryptographic key in firmware such that the
cryptographic key in firmware no longer matches a cryptographic key of the third party
OS.

Claims 3-4 Canceled

5. (Previously presented) The method of claim 1, wherein the user interface
further enables the user to:
pay using the communication device;
receive a request to make a payment at a store; and
request help.

6. (Previously presented) The method of claim 1, wherein the user interface further notifies the user that:

no Internet service is detected; and
the user is advised to check WiFi settings and carrier data plan.

7. (Previously presented) The method of claim 1, wherein the user interface further enables the user to:

make an emergency call; and
make a call to customer support.

8. (Currently amended) The method of claim 1, wherein the user interface further enables the user to enter a ~~code~~ the obtained code to access additional functions of the communication device even though the communication device has been locked, wherein the code is obtained by the user from a customer support contact that is active on the communication device.

9. (Previously presented) The method of claim 1, wherein the user interface further enables the user to access a lifeline feature that causes the communication device to be temporarily activated even when the communication device has been inactivated for lack of payment.

10. (Original) The method of claim 1, wherein the security application locks the communication device to a particular communications network.

11. (Previously presented) The method of claim 1, wherein the user interface further enables the user to make payments for other users that share an account with the user.

12. (Previously presented) The method of claim 1, wherein the security application locks selected features of the communication device, including various phone apps, while allowing incoming and outgoing phone calls.

REMARKS

Claims 1-2 and 5-12 are pending in the application. Claims 1 and 8 have been amended. No claims have been allowed. No new matter has been added by the amendments.

Response to Arguments

Applicant is appreciative of the Examiner's thorough review of the non-final office action response and the thoughtful response.

Rejections under 35 U.S.C. § 112

112 (a) Claims 1-12 were rejected under 35 U.S.C. § 112 (a) as failing to comply with the enablement requirement. The claims have been amended to overcome the rejection.

Specifically, claim 1 has been amended to read:

if the user has no access to the internet, the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device to the user that the user may contact support by pressing a "call customer support" button on the communication device to obtain a code that allows the user to update their credit, wherein the user then may enter the code to cause the communication device to display credit remaining and next payment due date

The rejection states that "the specification does not describe how the code is created and/or interpreted such that the resultant "cause the communication device to display credit remaining and the next payment due date" is achieved and thus does not enable a skilled artisan to make the invention.

Applicant respectfully submits that the amendments to claim 1 overcome this rejection. The amendments include a clarification that the processor of the third party infrastructure, through the third party operating system (that is installed on the communication device by the third party infrastructure) displays the "call customer support" button on the communication device to obtain the code. This describes a person pressing a button on their (perhaps otherwise disabled) mobile phone to contact a support person who can supply them with a code that the user can then enter to code to cause the communication device to recognize the code and act accordingly. This is a procedure well known in the art. Applicant has novel, claimed concepts, including using a third

party infrastructure to install a third party operating system on a communication device. The stated concepts that are alleged to be non-enabled are well known in the art, and current amendments are intended to clarify that the way in which the mobile phone button is made active through the third party infrastructure and the third party OS that the third party infrastructure installs on the phone is novel. Withdrawal of the rejection is respectfully requested.

112 (b) Claims 1-12 were rejected under 35 U.S.C. § 112 (b) as being indefinite. The claims have been amended to overcome the rejection. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 103

A. Claims 1, 2 and 7-10 were rejected under 35 U.S.C. § 103 as being unpatentable over US 2019/0228401 A1 to Ricket et al. ("Ricket"), in view of US 2021/0021702 A1 to Gudivada et al. ("Gudivada"), US 2018/0367677 A1 to Velusamy et al. ("Velusamy"), and US 2003/0149662 A1 to Shore. Applicants submit that the amended claims would not have been obvious in view of the cited references.

Ricket is said to include limitations of claim 1, except for "wherein the privileged application and the security application further enable the user to: view a number of hours credit remaining and view a payment date". However, Ricket lacks at least:

a processor of a third party infrastructure wirelessly transmitting a third party operating system (OS) to the communication device...

the wirelessly transmitted third party OS comprising,

a privileged application that communicates with the processor of the third party infrastructure and with the communication device, wherein the privileged application provides special operating system privileges to install;

a security application with required privileges to control the communication device, wherein the security application communicates with a control data block of the communication device and with the third party infrastructure; and

a pay application that works through the security application, wherein the pay application communicates with the third party infrastructure; ...

wherein the pay application further interacts with the user, including,

~~indicating the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device~~ that the communication device lacks a SIM card, and displaying buttons that allow the user to pay, request help, or navigate to a home page of an application administered by the entity that installed the third party OS;

~~indicating the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device~~ that the communication device must be connected to the internet after a payment is made to ensure that the user's credit is updated; and

if the user has no access to the internet, ~~indicating the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device to the user~~ that the user may contact support by pressing a "call customer support" button on the communication device at the entity that installed the third party device to obtain a code that allows the user to update their credit, wherein and the user then may enter the code to cause the communication device to display credit remaining and next payment due date.

(Claim 1 as amended)

Gudivada was cited for disclosing that a device utilizes a user interface that enables a user to view a number of hours remaining until a payment due date. It was also stated "...

Gudivada lacks explicitly displaying the due date, the information is available to the device and thus displaying it to a user would have been obvious to a skilled artisan."

Applicant respectfully submits that Gudivada does not provide any teaching or suggestion regarding the information being displayed in the device through actions of a third-party OS installed on the device and a remote third-party infrastructure. As such, Gudivada does not combine with Ricket to make the claims obvious.

Cohen was cited for disclosing determining that a SIM is present. Applicant incorporates the remarks above with reference to Gudivada. It is known to determine whether a SIM is present, but Cohen provides no teaching regarding the device being controlled to determine whether a SIM is present in response to a third-party OS that has been installed by, and communicates with, a third-party infrastructure. As such, Cohen does not

combine with and Gudivada and Ricket to make the claims obvious.

Velusamy was cited for teaching "a device that displays buttons that allow the user to pay, request help, or navigate to a home page of an application administered by the entity that installed the third party OS" (citing Figure 3 and paragraph 26).

"Call Care" 334, the UDRT 240 enables calling a customer care or collections representative of the wireless telecommunication carrier under original agreement (e.g., EIP) with the UD.

(Velusamy)

However, it is significant that Velusamy describes only a communication between the user (through the device) and the wireless telecommunications carrier. This is quite distinguished from the claimed invention, according to which the user communicates through the device with a third party entity that installed a third party OS on the device. Therefore, Velusamy does not provide the teaching as alleged, and does nothing to render the claims obvious, either by itself or in combination with the other cited references.

Shore is cited for teaching that "it was well known to unlock a locked device by contacting customer support, receiving an access code, and inputting the access code into the device..." Applicant submits that the claims are patentably distinct from the teaching of Shore. Shore is devoted to online ticket purchasing. See for example, Figure 11A, which uses a phone as an example of a device. When the user contacts "help" online" the user is accessing the internet in order to contact a financial institution, or some other entity that can figure out why the user can't buy the tickets. The invention as claimed includes a third party operating system installed on a mobile phone. The third party operating system monitors the use of the device and a user account as administered by a linked entity. Shore does not describe locking a phone - but only the inability to purchase tickets.

The prior art that has been cited does not disclose or suggest a third party operating system downloaded to a device in order to control the device. All of the references teach fundamentally different concepts, e.g., a device that is controlled by a wireless service provider, or a ticketing functionality that is essentially a phone app (or equivalent). In all

of these cases, the phone is not used to communicate with an entity that downloaded the third party OS onto the phone in order to control the phone using the third party OS (in contrast to a wireless service provider controlling the phone, for example).

Applicants respectfully submit that the cited references, alone or together, fail to teach or suggest at least the following limitations of claim 1 as amended:

the wirelessly transmitted third party OS comprising,
a privileged application that communicates with the processor of the third party infrastructure and with the communication device, wherein the privileged application provides special operating system privileges to install;

a security application with required privileges to control the communication device, wherein the security application communicates with a control data block of the communication device and with the third party infrastructure; and

a pay application that works through the security application, wherein the pay application communicates with the third party infrastructure;

the wirelessly transmitted third party OS controlling the communication device, wherein controlling comprises,

selectively disabling and enabling the communication device, selectively disabling and enabling certain functions of the communication device;

executing the “lock” command;

disabling the “unlock” command by preventing the bootloader program from executing an “unlock” command call;

preventing a user from tampering with control software of the communication device;

altering binary code of the bootloader program of the communication device to prevent the bootloader program from receiving new software packages and

preventing the user from altering or overwriting the third party OS; and

wherein the pay application further interacts with the user, including,

~~indicating~~ the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device that the communication device lacks a SIM card, and displaying buttons that allow the user to pay, request help, or navigate to a home page of an application administered by the entity that installed the third party OS;

~~indicating the processor of the third party~~
~~infrastructure through the third party operating system presenting to the~~
~~user on a display of the communication device~~ that the communication
device must be connected to the internet after a payment is made to ensure
that the user's credit is updated; and

if the user has no access to the internet,
~~indicating the processor of the third party infrastructure through the third~~
~~party operating system presenting to the user on a display of the~~
~~communication device to the user~~ that the user may contact support by
~~pressing a "call customer support" button on the communication device at~~
~~the entity that installed the third party device~~ to obtain a code that allows
the user to update their credit, wherein and the user then may enter the
code to cause the communication device to display credit remaining and
next payment due date.

(Claim 1 as amended)

Therefore, Applicants respectfully assert that claim 1 and its dependent claims would not have been obvious in view of the cited combination of prior art. Claims 2 and 7-10 depend from claim 1 and include further limitations thereon. Therefore, claims 2 and 7-10 are similarly allowable over the cited art.

B. Claim 5 was rejected was rejected under 35 U.S.C. § 103 as being unpatentable over Ricket, Gudivada Velusamy, and Shore, and further in view of "Add money to your PayPal account with CASH" by Paypal.

Ricket, Gudivada, Velusamy, and Shore have been addressed with reference to claim 1 above. Claim 5 depends from claim 1. PayPal was cited for providing the user with an option to add money to an account using a physical location. The mechanism by which PayPal provides an option to add money to an account do not include a third-party OS installed on a device. Rather, PayPal uses an app installed on any mobile phone or computing device without the installation of a third-party OS that controls aspects of the device itself. Therefore, the combination would not result in the invention as claimed, and one of ordinary skill in the art would not seek to make the suggested combination to arrive at the claimed invention.

For all of these reasons, Applicant submits that claim 5 would not have been obvious to

one of ordinary skill at the time the invention was made.

C. Claim 6 was rejected under 35 U.S.C. § 103 as being unpatentable over Ricket, Gudivada, Velusamy, and Shore, in view of US 2017/0325111 A1 to Reese et al. ("Reese"), and further in view of and Best 9 ways to fix iPhone Cellular Data Not Working (6/1/2018) by Chatterjee.

Reese and Chatterjee were each cited for notifying the user that no internet service is detected, and various advises to the user as a consequence. However, Neither Reese nor Chatterjee supply the stated deficiencies of the previously discussed prior art for the same reasons as cited in sections A and B above.

For all of these reasons, Applicant submits that claim 6 would not have been obvious to one of ordinary skill at the time the invention was made.

D. Claim 11 was rejected under 35 U.S.C. § 103 as being unpatentable over Ricket, Gudivada, Velusamy, and Shore, and further in view of US 2002/0101966 A1 to Nelson ("Nelson").

Nelson is cited for teaching providing a single pre-paid account associated with multiple devices. However, Nelson does not supply the deficiencies of the prior art as previously described in detail in sections A, B, and C above. Therefore, one of ordinary skill in the art would not look to combine Nelson with the other cited references to arrive at the claimed invention.

For all of these reasons, Applicant submits that claim 11 would not have been obvious to one of ordinary skill at the time the invention was made.

E. Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Ricket, Gudivada, Velusamy, and Shore, and further in view, and further in view of US 2011/0076981 to Singh et al. ("Singh").

Applicant respectfully refers the Examiner to the previous sections that remark on the cited art with reference to independent claim one and various dependent claims. Singh

was cited for teaching "a device operating in a locked mode allowing an emergency call and incoming calls in response to the emergency call". Applicant submits that it is well-known in mobile phones to provide for emergency access when the phone is in a locked mode. However, what Singh teaches is just this conventional capacity. The claimed invention, in contrast, involves a third-party OS installed on the phone that interacts with internal functions of the phone to shut it down under defined circumstances that are completely different from a phone being locked in the usual course of use (such as the user not using the phone for two minutes). According to the invention described and claimed, it is clear that locking the phone means it is inaccessible, even to the conventional emergency provisions as described in Singh. This is because, as in claim 1, the phone is controlled by a third party OS that has been installed by a third-party infrastructure with which the phone communicates.

Therefore, Applicant respectfully submits that one of ordinary skill in the art would not be motivated to combine Singh with the other cited references to arrive at the invention of claim 12.

Conclusion

Applicants respectfully submit that all of the rejections and objections are overcome by the amendments. Applicants are very appreciative of the prompt and thorough examination the application has received. If there are any issues to be resolved before allowance of the amended claims, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,



Date: January 18, 2022

Barbara B. Courtney, Reg. No. 42,442
Martensen IP

Atty. Docket No.: PAYJ.P003

30 East Kiowa Street Suite 101
Colorado Springs, CO 80903
Tel. 408-858-5174



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

NOTICE OF ALLOWANCE AND FEE(S) DUE

15360 7590 02/16/2022
Michael C. Martensen, P.C.
30 E. Kiowa St., Suite 101
Colorado Springs, CO 80903

EXAMINER	
SIMITOSKI, MICHAEL J	
ART UNIT	PAPER NUMBER
2493	

DATE MAILED: 02/16/2022

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/153,331	01/20/2021	Douglas James RICKET	PAYJ P003	2289

TITLE OF INVENTION: METHOD AND SYSTEM FOR REMOTE MANAGEMENT OF ACCESS TO APPLIANCES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$600	\$0.00	\$0.00	\$600	05/16/2022

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed. 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: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

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

15360 7590 02/16/2022
Michael C. Martensen, P.C.
30 E. Kiowa St., Suite 101
Colorado Springs, CO 80903

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 transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/153,331	01/20/2021	Douglas James RICKET	PAYJ P003	2289

TITLE OF INVENTION: METHOD AND SYSTEM FOR REMOTE MANAGEMENT OF ACCESS TO APPLIANCES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$600	\$0.00	\$0.00	\$600	05/16/2022

EXAMINER	ART UNIT	CLASS-SUBCLASS
SIMITOSKI, MICHAEL J	2493	726-017000

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/AIA/122 or PTO/SB/122) attached.

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

2. For printing on the patent front page, list

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

1 _____

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

2 _____

3 _____

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). 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 ☐ Government4a. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: (Please first reapply any previously paid fee shown above)

☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/153,331	01/20/2021	Douglas James RICKET	PAYJ P003	2289
15360	7590	02/16/2022	EXAMINER	
Michael C. Martensen, P.C. 30 E. Kiowa St., Suite 101 Colorado Springs, CO 80903			SIMITOSKI, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2493	
DATE MAILED: 02/16/2022				

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

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

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

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

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 17/153,331	Applicant(s) RICKET et al.	
	Examiner MICHAEL J SIMITOSKI	Art Unit 2493	AIA (FITF) Status Yes

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

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

1. ☒ This communication is responsive to Applicant's reply dated 1/19/2022.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-2 and 5-12. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) 2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____. 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material ____. 4. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.	5. ☐ Examiner's Amendment/Comment 6. ☒ Examiner's Statement of Reasons for Allowance 7. ☐ Other ____.
---	---

/ Michael Simitoski/
Primary Examiner, Art Unit 2493

Notice of Pre-AIA or AIA Status

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

DETAILED ACTION

2. The response of 1/19/2022 was received and considered.
3. Claims 1-2 and 5-12 are pending.

Allowable Subject Matter

4. Claims 1-2 and 5-12 are allowed.
5. The following is an examiner's statement of reasons for allowance:
 - a. Applicant's remarks (pp. 5-6) are persuasive. The rejections under 35 U.S.C. §112 are withdrawn.
 - b. The previously-cited reference to Ricket is the closest prior art (see Office Action dated 12/22/2021).
 - i. Soini is cited for teaching a bootloader, but lacking remote installation.
 - ii. Arponen is cited for teaching remote activation of a mobile device.
 - iii. Urquhart is cited for teaching communicating payment information from a third party infrastructure.
 - c. However, Applicant's remarks (pp. 6-10) are persuasive, when considering the recited claims as a whole. The rejections under 35 U.S.C. §103 are withdrawn.

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

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL J SIMITOSKI whose telephone number is (571)272-3841. The examiner can normally be reached Monday - Friday, 7:00-3:00.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Colin can be reached on 571-272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: <https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Simitoski/
Primary Examiner, Art Unit 2493

February 1, 2022

<i>Notice of References Cited</i>	Application/Control No. 17/153,331		Applicant(s)/Patent Under Reexamination RICKET et al.	
	Examiner MICHAEL J SIMITOSKI		Art Unit 2493	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20180253719-A1	09-2018	Urquhart; Albert Bruce	G06Q20/202	1/1
*	B	US-20170220330-A1	08-2017	Soini; Jonathan Michael	H04L63/166	1/1
*	C	US-20110254687-A1	10-2011	Arponen; Jarmo Tapani	H04W12/126	726/34
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Notificación de Pre-AIA o Estatus de AIA

La presente solicitud, presentada en o después del 16 de marzo de 2013 está siendo examinada de acuerdo con el primer inventor que presentó la solicitud de acuerdo con AIA.

Declaración De Divulgación De Información

2. La respuesta del 19 de enero de 2022 fue recibida y considerada.
3. Las reivindicaciones 1-2 y 5-12 están pendientes.

Materia Otorgable

4. Las reivindicaciones 1-2 y 5-12 son admitidas.
5. La siguiente es una declaración detallada del examinador de las razones para la concesión:
 - a. Las observaciones del solicitante (pp. 5-6) son persuasivas. Los rechazos bajo 35 U.S.C 112 son retirados.
 - b. La referencia a Ricket anteriormente citada es el arte previo más cercano (ver Acción Oficial de 22/12/2021).
 - i. Soini se cita porque enseña un programa de gestor de cargas, pero carece de la instalación remota.
 - ii. Arponen se cita porque enseña la activación remota de un dispositivo móvil.
 - iii. Urquhart se cita porque enseña la comunicación de la información de pago de una infraestructura de terceros.
 - c. Sin embargo, las observaciones del solicitante (pp.6-10) son persuasivas cuando se consideran las mencionadas reivindicaciones como un todo. Los rechazos bajo 35 U.S.C. 103 son retirados.

IN THE CLAIMS

Amend the claims as indicated below

1. A method for remote management of a communication device, the method comprising:
 - a processor of a third party infrastructure wirelessly transmitting a third party operating system (OS) to the communication device, wherein the communication device comprises a mobile phone executing instructions comprising,
 - a bootloader program that supports a “lock” command and an “unlock” command;
 - and
 - a cryptographic key in firmware;
 - the wirelessly transmitted third party OS comprising,
 - a privileged application that communicates with the processor of the third party infrastructure and with the communication device, wherein the privileged application provides special operating system privileges to install:
 - a security application with required privileges to control the communication device, wherein the security application communicates with a control data block of the communication device and with the third party infrastructure; and
 - a pay application that works through the security application, wherein the pay application communicates with the third party infrastructure;
 - the wirelessly transmitted third party OS controlling the communication device, wherein controlling comprises,
 - selectively disabling and enabling the communication device, selectively disabling and enabling certain functions of the communication device;
 - executing the “lock” command;
 - disabling the “unlock” command by preventing the bootloader program from executing an “unlock” command call;
 - preventing a user from tampering with control software of the communication device;
 - altering binary code of the bootloader program of the communication device to prevent the bootloader program from receiving new software packages and
 - preventing the user from altering or overwriting the third party OS; and

wherein the pay application further interacts with the user, including,

the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device that the communication device lacks a SIM card, and displaying buttons that allow the user to pay, request help, or navigate to a home page of an application administered by the entity that installed the third party OS;

the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device that the communication device must be connected to the internet after a payment is made to ensure that the user's credit is updated; and

if the user has no access to the internet, the processor of the third party infrastructure through the third party operating system presenting to the user on a display of the communication device ~~to the user~~ that the user may contact support by pressing a "call customer support" button on the communication device to obtain a code that allows the user to update their credit, wherein ~~and~~ the user then may enter the code to cause the communication device to display credit remaining and next payment due date.

2. The method of claim 1, wherein controlling the communication device further comprises altering a cryptographic key in firmware such that the cryptographic key in firmware no longer matches a cryptographic key of the third party OS.

Claims 3-4 Canceled

5. The method of claim 1, wherein the user interface further enables the user to:

pay using the communication device;

receive a request to make a payment at a store; and

request help.

6. The method of claim 1, wherein the user interface further notifies the user that:

no Internet service is detected; and

the user is advised to check WiFi settings and carrier data plan.

7. The method of claim 1, wherein the user interface further enables the user to:
make an emergency call; and
make a call to customer support.

8. The method of claim 1, wherein the user interface further enables the user to enter the obtained code to access additional functions of the communication device even though the communication device has been locked, wherein the code is obtained by the user from a customer support contact that is active on the communication device.

9. The method of claim 1, wherein the user interface further enables the user to access a lifeline feature that causes the communication device to be temporarily activated even when the communication device has been inactivated for lack of payment.

10. The method of claim 1, wherein the security application locks the communication device to a particular communications network.

11. The method of claim 1, wherein the user interface further enables the user to make payments for other users that share an account with the user.

12. The method of claim 1, wherein the security application locks selected features of the communication device, including various phone apps, while allowing incoming and outgoing phone calls.

EN LAS REIVINDICACIONES

Reivindicaciones modificadas como se muestra a continuación:

1. Un método de control remoto de un dispositivo de comunicación; el método incluye lo siguiente:

un procesador de una infraestructura de terceros que transmite, de forma inalámbrica, un sistema operativo (SO) de terceros al dispositivo de comunicación, en el cual el dispositivo de comunicación comprende un teléfono móvil que ejecuta instrucciones que abarcan,

un programa de gestor de cargas compatible con un comando de "bloqueo" y un comando de "desbloqueo"; y

una clave criptográfica en firmware;

el SO de terceros transmitido de forma inalámbrica que abarca,

una aplicación privilegiada que se comunica con el procesador de la infraestructura de terceros y con el dispositivo de comunicación, en donde la aplicación privilegiada proporciona privilegios especiales del sistema de operación a instalar:

una aplicación de seguridad con privilegios requeridos para controlar el dispositivo de comunicación, en donde la aplicación de seguridad se comunica con un bloque de datos de control del dispositivo de comunicación y con la infraestructura de terceros; y

una aplicación de pago que trabaja mediante la aplicación de seguridad, en donde la aplicación de pago se comunica con la infraestructura de terceros;

el SO de terceros transmitido de forma inalámbrica que controla el dispositivo de comunicación, en el cual el control abarca,

inhabilitar y habilitar de forma selectiva el dispositivo de comunicación, inhabilitar y habilitar de forma selectiva ciertas funciones del dispositivo de comunicación;

ejecutar el comando de "bloqueo";

inhabilitar el comando de "desbloqueo" al evitar que el programa del gestor de cargas ejecute una llamada al comando de "desbloqueo";

evitar que un usuario manipule el software de control del dispositivo de comunicaciones;

alterar el código binario del programa de gestor de cargas del dispositivo de comunicación para evitar que el programa de gestor de cargas reciba nuevos paquetes de software y

evitar que el usuario altere o sobrescriba el SO de terceros; y
en donde la aplicación paga interactúa además con el usuario, incluyendo,

el procesador de una infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el dispositivo de comunicación carece de tarjeta SIM, y muestra botones que permiten al usuario pagar, solicitar ayuda o navegar a una página de inicio de una aplicación administrada por la entidad que instaló el SO de terceros;

el procesador de la infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el dispositivo de comunicación debe estar conectado a internet después de realizar un pago para garantizar la actualización del crédito del usuario; y

si el usuario no tiene acceso a internet, el procesador de la infraestructura de terceros a través del sistema operativo de terceros presenta al usuario en una pantalla del dispositivo de comunicación que el usuario puede ponerse en contacto con el soporte pulsando un botón de "llamar a atención al cliente" en el dispositivo de comunicación para obtener un código que permita al usuario actualizar su crédito, en el que el usuario puede luego introducir el código para hacer que el dispositivo de comunicación muestre el crédito restante y la próxima fecha de vencimiento del pago.

2. El método de la reivindicación 1, en el que el control del dispositivo de comunicación además comprende alterar una clave criptográfica en el firmware para que la clave criptográfica en el firmware deje de coincidir con la clave criptográfica del SO de terceros.

Reivindicaciones 3-4 Canceladas

5. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario:

pagar mediante el dispositivo de comunicación;

recibir una solicitud para realizar un pago en una tienda; y

solicitar asistencia.

6. El método de la reivindicación 1, en el que la interfaz de usuario además le notifica al usuario que:

no se detecta servicio de internet; y

se recomienda al usuario verificar las configuraciones del Wi-Fi y el plan de datos de la compañía telefónica.

7. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario:

hacer una llamada de emergencia; y

llamar a atención al cliente.

8. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario ingresar el código obtenido para acceder a funciones adicionales del dispositivo de comunicación, a pesar de que el dispositivo de comunicación haya sido bloqueado; en donde el código es obtenido por el usuario de un contacto de atención al cliente que está activado en el dispositivo de comunicación.

9. El método de la reivindicación 1, en el que la interfaz de usuario además le permite al usuario acceder a una función de línea vital que activa temporalmente el dispositivo de comunicación incluso cuando el dispositivo de comunicación haya sido desactivado por falta de pago.

10. El método de la reivindicación 1, en el que la aplicación de seguridad bloquea el dispositivo de comunicación para una red de comunicaciones en particular.

11. El método de la reivindicación 1, en el que la interfaz del usuario además le permite al usuario realizar pagos para otros usuarios con los cuales el usuario comparte una cuenta.

12. El método de la reivindicación 1, en el que la aplicación de seguridad bloquea funciones específicas del dispositivo de comunicación, incluidas diferentes aplicaciones del teléfono, pero permite las llamadas telefónicas entrantes y salientes.