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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/573,002	08/13/2012	Steven James McGee		5960

37952 7590 01/09/2017

EXAMINER

Saw Concepts, LLC

ART UNIT PAPER NUMBER

2468

MAIL DATE DELIVERY MODE

ANSARI, NAJEEBTJDDIN

ATTN: Steven J. McGee P.O. Box 28

Oceanport, NJ 07757

01/09/2017

PAPER

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

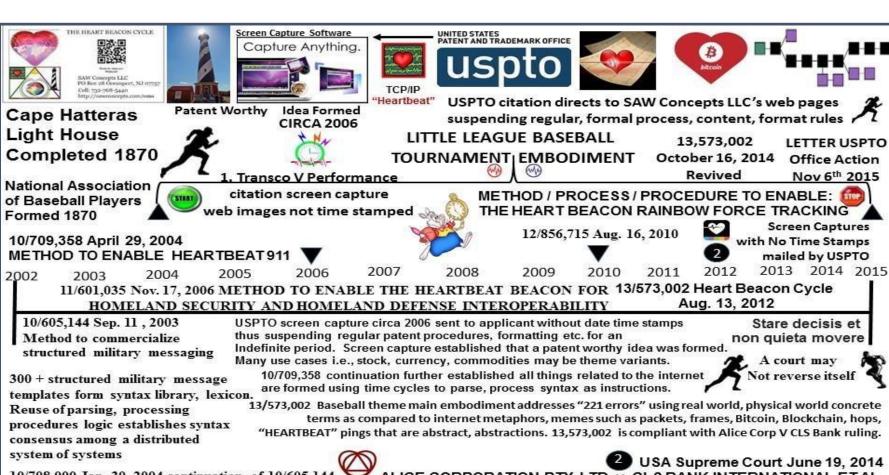
The time period for reply, if any, is set in the attachment attached communication. PTOL-90A (Rev. 04/07)

Application No. Applicant(s) 13/573,002 MCGEE ET AL. Notice of Abandonment Examiner Art Unit NAJEEB ANSARI 2468 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--This application is abandoned in view of: 1. Applicant's failure to timely file a proper reply to the Office letter mailed on 07 April 2016. (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on ____ (b) A proposed reply was received on 08 July 2016, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) if this is utility or plant application, a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. Note that RCEs are not permitted in design applications.) (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted fee of \$____ is insufficient. A balance of \$____ is due. The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$____. (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply. (b) No corrected drawings have been received. 4. The letter of express abandonment which is signed by the attorney or agent of record or other party authorized under 37 CFR 1.33(b). See 37 CFR 1.138(b). 5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34) upon the filing of a continuing application. 6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims. 7. The reason(s) below: A proper reply to the final rejection Office Action filed 04/07/2016 (Notice of Appeal or Request for Continued Examination) has not been filed.

/NAJEEB ANSARI/ Examiner, Art Unit 2468 /MELANIE JAGANNATHAN/ Primary Examiner, Art Unit 2468



FIGURE 1: 13/573,002 SUMMARY



10/708,000 Jan. 30, 2004 continuation of 10/605,144

ALICE CORPORATION PTY. LTD. v. CLS BANK INTERNATIONAL ET AL.

Claims ineligible for patent protection under 35 U. S. C. §101 "claims

Parenthesis around term "heartbeat" describes Internet

The supreme Court June 19, 2014

ALICE CORPORATION PTY. LTD. v. CLS BANK INTERNATIONAL ET AL.

Claims ineligible for patent protection under 35 U. S. C. §101 "claims may not be directed to an abstract idea"

TCP/IP metaphor as an abstraction. "Heartbeat" describes time cycles, intervals, periods created by a Central Processing Unit. Time intervals are used to parse, process or not process syntax as instructions thus forming the basis of all things, artifacts internet related. This patent worthy idea forms the main embodiment upon which all other embodiments and claims are based. All filings, embodiments, claims after this point in time related to 10/708,000 do not constitute new material or new claims as variations on main embodiment.





FIGURE 2: 13/573,002 Time Line

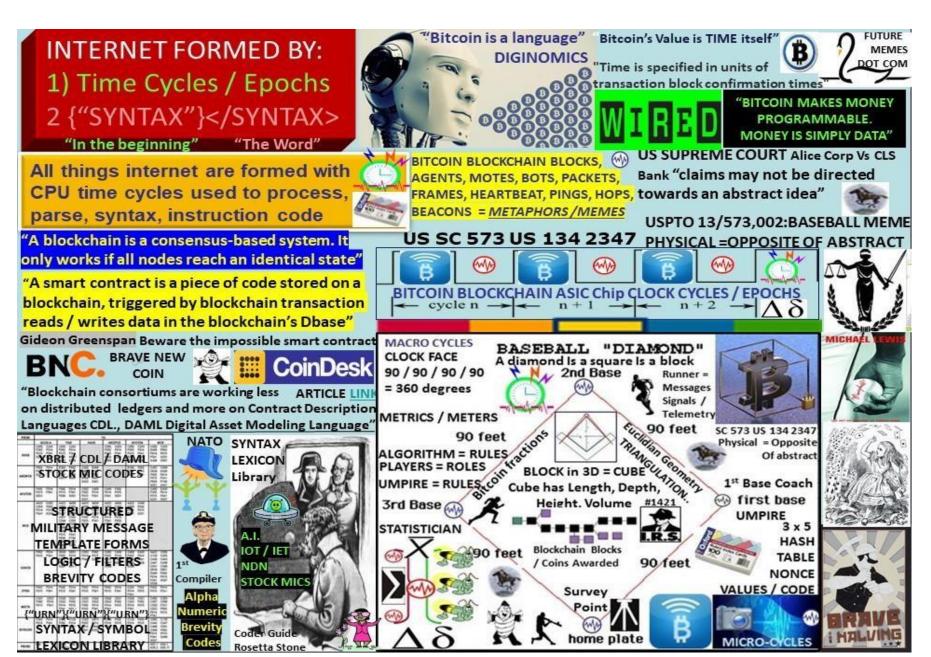


FIGURE 3 Supreme Court Alice Corp Vs CLS Bank #573 Summary

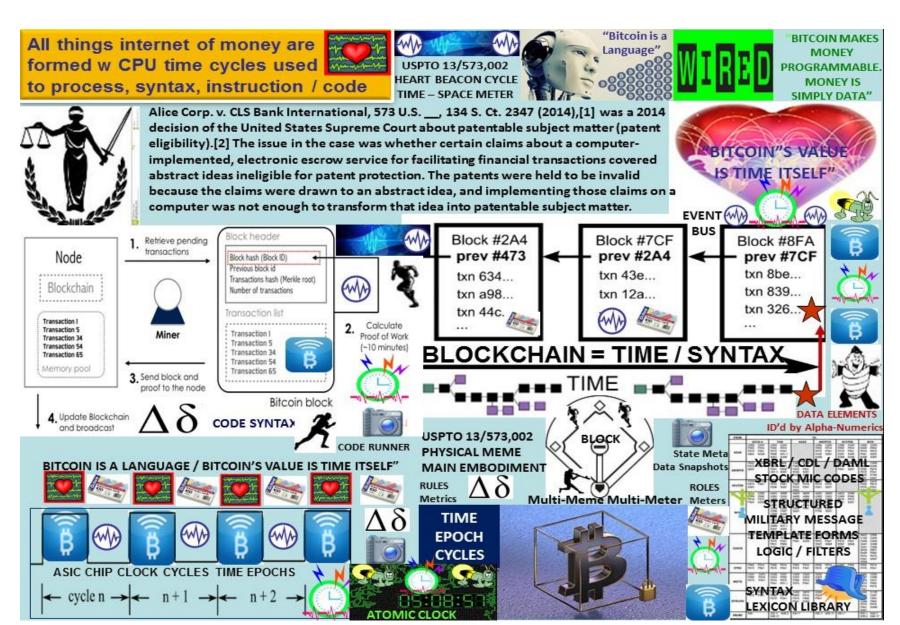


FIGURE 4 Supreme Court Alice Corp Vs CLS Bank #573