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## NOTICE OF ALLOWANCE AND FEE(S) DUE

26162 7590 11/10/2014 Law Office of R. Alan Burnett, P.S. c/o CPA Global PO Box 52050 Minneapolis, MN 55402

UNDISCOUNTED

EXAMINER

QURESHI, AFSAR M

ART UNIT PAPER NUMBER

2472

02/10/2015

DATE MAILED: 11/10/2014

APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/715,669	12/14/2012		Ygdal Naouri		P45110	1023
TITLE OF INVENTION	: NETWORK CONGEST	TION MANAGEMENT	BY PACKET CIRCULAT	ion Took		
APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PRIN. PAID ISSUE	FEE TOTAL FEE(S) DUE	DATE DUE

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 ASSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPER 1308.

\$960

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. SEEDS U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY WID 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:

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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)".

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

# PART B - FEE(S) TRANSMITTAL

## Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

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

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Minneapolis, M	N 55402							(Depositor's name)
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APPLICATION NO.	FILING DATE		FIRST NAMED INVE	NTOR		ATTO	RNEY DOCKET NO.	CONFIRMATION NO.
13/715,669	12/14/2012		Ygdal Naouri		96		P45110	1023
TITLE OF INVENTION	N: NETWORK CONGES	TION MANAGEMEN	T BY PACKET CIRCU		and,			
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QURESHI	, AFSAR M	2472	370-237000					
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/715,669	12/14/2012	Ygdal Naouri	P45110	1023
96162 75	90 11/10/2014		EXAM	INER
	Alan Burnett, P.S.		QURESHI,	AFSAR M
c/o CPA Global PO Box 52050			ART UNIT	PAPER NUMBER
Minneapolis, MN 5	55402		2472	
			DATE MAILED: 11/10/201	4

# 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 (PKA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amonded 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 (49417 (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 \$7 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 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#### **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain promation 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.
- 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.
- 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.

	Application No. 13/715,669	Applicant(s) NAOURI ET	ΔΙ
Notice of Allowability	Examiner AFSAR M. QURESHI	<b>Art Unit</b> 2472	AIA (First Inventor to File) Status
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS (herewith (or previously mailed), a Notice of Allowance (PTOL-85) of NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIC of the Office or upon petition by the applicant. See 37 CFR 1.313	OR REMAINS) CLOSED in this apport of the appropriate communication of GHTS. This application is subject to	lication. If not i will be mailed i	included n due course. <b>THIS</b>
1. This communication is responsive to <u>RCE/IDS filed on 9/17/2</u> A declaration(s)/affidavit(s) under <b>37 CFR 1.130(b)</b> was/			
2. An election was made by the applicant in response to a restr requirement and election have been incorporated into this ac		e interview on	; the restriction
<ol> <li>The allowed claim(s) is/are <u>1-30</u>. As a result of the allowed claim(s) http://www.uspto.gov/patents/init_events/pph/index.jsp</li> </ol>	e for the corresponding application.	For more inforn	
Certified copies:  a) All b) Some *c) None of the:  1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of noted below. Failure to timely comply will result in ABANDONMETHIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	been received. Application No uments have been received in this n	ational stage a	
5. CORRECTED DRAWINGS ( as "replacement sheets") must	be submitted.		
including changes required by the attached Framiner's Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR 1.8 each sheet. Replacement sheet(s) should be labeled as such in th	34(c)) should be written on the drawing e header according to 37 CFR 1.121(d	gs in the front (1 ).	not the back) of
6. DEPOSIT OF and/or INFORMATION about the deposit of BI attached Examiner's comment regarding REQUIREMENT FO	OLOGICAL MATERIAL must be sub R THE DEPOSIT OF BIOLOGICAL	omitted. Note th MATERIAL.	ne
Attachment(s)  1. ☑ Notice of References Cited (PTO-892)  2. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 9/17/2014  3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  4. ☐ Interview Summary (PTO-413), Paper No./Mail Date	5. ☐ Examiner's Amendn 6. ☑ Examiner's Stateme 7. ☐ Other		for Allowance
Primary Examiner, Art Unit 2472	11/2/2014		

Application/Control Number: 13/715,669 Page 2

Art Unit: 2472

1. The present application is being examined under the pre-AIA first to invent provisions.

## Continued Examination Under 37 CFR 1.114

- 2. 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 CFB 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 9/17/2014 has been entered.
- 3. Applicant filed IDS (9/17/2014) for review. An Allowance was issued on 6/4/2014 and issue fee payment was verified 8/27/2014.

# Allowable Subject Matter

4. Claims 1-30 are allowed over closest prior art of record.

The following is a statement of reasons for the indication of allowable subject matter:

Instant invention is related to congestion control. In general, packets are stored temporarily in buffering capacity distributed throughout the network elements until a transient congested condition disappears and a free path is found to the destination. If the congestion persists, packets are typically looped back up to the congesting source

Art Unit: 2472

port, which, in return will reduce the transmission rate for the concerned flow. The inventive features, as claimed herein, include," receiving packets with including address information identifying source node and destination node, determining if the port toward the destination node is congested, in response, selecting a port to cause the packet to travel backward toward the source node and forwarding the packet out of the selected port".

The closest prior art of record Mayhew (US 7,672,243) and Ribera et al. (US 2007/0104096) are in the same field of endeavor disclosing advance switching interconnect (ASI) methods for identifying and augmenting the congestion management mechanism defined in ASI to allow for the communication of congested paths through the fabric.

However, the cited references, taken alone or in combination, fail to disclose the inventive features discussed above

# Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AFSAR M. QURESHI whose telephone number is (571)272-3178. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 27223088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 13/715,669

Art Unit: 2472

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.

/AFSAR M QUR

/AFSAR M QURESHI/ Primary Examiner, Art Unit 2472

Page 4

11/2/2014

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Doc code: IDS Doc description: Information Disclosure Statement (IDS) Filed

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number		13715669	
	Filing Date		2012-12-14	
INFORMATION DISCLOSURE	First Named Inventor	Ygdal	Naouri	
(Not for submission under 37 CFR 1.99)	Art Unit		2472	
(Not for Submission under 07 Of K 1.55)	Examiner Name	AFSA	R M. QURESHI	
	Attorney Docket Numb	er	P45110	

# ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Q./

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		13715669
Filing Date		2012-12-14
First Named Inventor	Ygdal	Naouri
Art Unit		2472
Examiner Name	AFSA	R M. QURESHI
Attorney Docket Numb	er	P45110

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