

REMARKS/ARGUMENTS

Claims 1-12 were previously pending. As noted above, claims 1, 4, 5, 7, 8, and 12 have been amended, claim 6 has been canceled, and claims 13-34 have been added. Support for these amendments may be found throughout the Specification.¹ No new matter has been added. Thus, claims 1-5 and 7-34 are now pending.

Applicants respectfully request reconsideration of this application based on the following remarks.

Allowable Subject Matter

The Office Action allows claims 3, 4, and 7-12, and objects to claim 6 as being dependent from a rejected base claim, however, the Office Action indicates that claim 6 would be allowable in independent form. Applicants wish to thank the Examiner for the indication of allowable subject matter in these claims.

As noted above, Applicants have amended independent claims 1 and 5 to incorporate the allowable subject matter recited in the dependent claim 6. As a result, claim 6 has been canceled.

As such, independent claims 1 and 5, along with dependent claim 2, are now in condition for allowance.

Double Patenting Rejection

Claims 1-12 are provisionally rejected under the judicially created doctrine of non-statutory obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 7,844,258.

Applicants respectfully submit the attached Terminal Disclaimer overcomes the obviousness-type double patenting rejections based on U.S. Patent No. 7,844,258. It is respectfully submitted that the filing of the Terminal Disclaimer is not an admission by the Applicants of the propriety of the rejection. Given the above, Applicants respectfully request withdrawal of the obviousness-type double patenting rejection.

Claim Rejections – 35 USC § 103

Claims 1, 2 and 5 are rejected under 35 USC § 103(a) as being unpatentable over Hays and further in view of Smith, Umstetter and {Moore or Wortham}.

As noted above, Applicants have respectively amended independent claims 1 and 5 to incorporate the allowable subject matter recited in the dependent claim 6. It is believed that claims 1, 2 and 5 are in condition for allowance.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 2 and 5 under 35 USC § 103(a).

New Claims

Applicants have added new claims 13-34 to recite subject matter to which they are entitled. As noted above, these new claims are fully supported throughout the originally filed Specification. No new matter has been added.

Specifically, independent claims 13 and 15 have been added to recite an apparatus and non-transitory storage medium having subject matter similar to the method of independent claim 3. Similarly, independent claims 17 and 18 have been added to recite apparatus and non-transitory storage medium having subject matter similar to the method of independent claim 7. Independent claims 19 and 21 have been added to recite an apparatus and non-transitory storage medium having subject matter similar to the method of independent claim 11.

Independent claims 13, 15, 17-19 and 21 and their respective dependent claims 14, 16, 20 and 22 are believed to be patentable over any combination of the cited references for reasons similar to those for claims 3, 7, and 11, as discussed above.

Further, referring to claims 23, 25, 27, 29, 31 and 33, none of the cited references discloses or suggests the subject matter of the second wireless communication device has a larger communication coverage area than that of the first wireless communication device at least due to a better antenna structure.

Additionally, referring to claims 24, 26, 28, 30, 32 and 34, there is no combination of the cited references that discloses or suggests “the communication request signal comprises actual communication data originating from the dispatch center.”

Therefore, Applicants respectfully request that the Examiner allow claims 13-34.

¹ See, e.g., Specification, paragraphs [0018], [0019] and [0021].

CONCLUSION

In light of these remarks, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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