

REMARKS

In the Office Action dated July 2, 2009, Claims 1-21 are pending. Claims 1-21 have been rejected. Claims 1-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. (U.S. Patent No. 6,725,228) in view of Gilberto et al. (U.S. Patent Publication No. 2003/0158791). The Advisory Action dated August 21, 2009, rejections of the claims were maintained. Applicant respectfully traverses the rejection for the following reasons.

Rejection under 35 U.S.C. 103

With regard to the rejection of claim 1, Applicant are amending the claim for clarification purposes. Applicant is amending the claim, in part, to recite:

A method for tracking service orders of service activities each having a service activity date from a sender to a recipient with an email application operating via a communications network ...
sending other first emails related to said service order by said recipient at said communications service provider in an effort to fulfill said service order, said other first emails including said first and second data from said service order;
moving said other first emails to said at least one subfolder identified by said conversion date associated with the particular set of first data;
receiving other second emails related to said service order by said recipient at said communications service provider in an effort to fulfill said service order, said other second emails including said first and second data from said service order; and
moving said other second emails to said at least one subfolder identified by said conversion date associated with the particular set of first data

By contrast, the system of Clark is directed to a system for managing and organizing stored electronic messages (Abstract). In organizing the electronic messages, Clark describes "automatically organizes each saved message into multiple folders based on the contents and attributes of the message."

Gilberto describes an order and payment visibility process for facilitating order entry, fulfillment, shipment, and payment in a network environment. (Abstract) Gilberto describes that existing processes for sellers and suppliers are inefficient (paras. [0008] and [0009]). As shown in FIGS. 1 and 3, the sellers and suppliers each utilize an order fulfillment system. One of the problems that Gilberto solves is that the supplier/vendor has to separately enter an order into its own order fulfillment system. In solving the problem, Gilberto's system automatically enters order information from the seller's order fulfillment system into the supplier's order fulfillment system. (see FIG. 3, step 5)

Applicant respectfully submits that the combination of Clark and Gilberto would result in a different process and system than that of Applicant's claimed invention. While Clark describes a system that automatically organizes emails, Gilberto describes a system for use by service providers that wants to remove the ordering process from the email system and offload the information into an order entry system. Once the order information is on the order entry system for the service provider (e.g., seller), emails are not utilized for tracking orders - a process that is contrary to Applicant's claimed invention (e.g., "sending other first emails related to said service order by said recipient ... receiving other second emails related to said service order by said recipient ... and moving said other second emails to said at least one subfolder identified by said conversion date associated with the particular set of first data"). The combination of Clark and Gilberto would result in a system where initial emails were received by the recipient at the service provider, but would cease to continue to be used because the recipient would enter the information into an order entry system and cease further email communications to fulfill the service order. As such, the combination of Clark and Gilberto would not result in a process or system that performs "sending other first emails related to said service order by said recipient ... receiving other second emails related to said service order by said recipient ... and moving said other second emails to said at least one subfolder identified by said conversion date associated with the particular set of first data," as claimed in Applicant's amended claimed invention. Accordingly, Applicant respectfully requests that the rejection of amended claim 1 under 35 U.S.C. 103(a) be withdrawn. Independent claims 8 and 15 are being amended in the same or analogous manner as claim 1, and should be allowable for at least the same reasons as claim 1. Claims 2-7, 9-14, and 16-21, which depend from independent claims 1, 8, and 15, respectively, should be allowable for at least the same reasons.

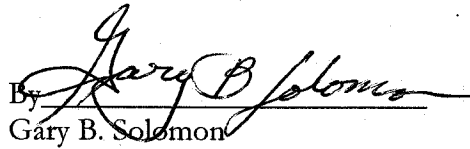
CONCLUSION

For the foregoing reasons, and for other apparent reasons, Applicant respectfully requests reconsideration and favorable action. If the Examiner feels a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

Applicant believes no fee is due with this response. However, the Commissioner is hereby authorized to charge any deficiency in the fees filed or credit any overpayment to Deposit Account No. 19-3140, under Docket No. 11000060-0055, of Sonnenschein Nath & Rosenthal LLP from which the undersigned is authorized to draw.

Dated: 9/8/09

Respectfully submitted,

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