REMARKS

In the Office Action dated March 10, 2010, Claims 1-21 are pending. Claims 1-21 have been rejected. The Specification is objected to. Claims 1, 8 and 15 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. 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) and further in view of Boetje et al. (U.S. Patent No. 7,006,603; hereinafter Boetje) and Litwin et al. (WO2005093595; hereinafter Litwin).

Rejection under 35 U.S.C. 112

With regard to the rejection of claims 1, 8, and 15 under 35 U.S.C. 112, first paragraph, Applicant respectfully traverses the rejection. In the response dated September 8, 2009, Applicant amended each of these claims as provided below or in an analogous manner:

> 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 to a vendor 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 from said vendor 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

Applicant respectfully submits that no only are these amendments inherently described within the originally filed Application as each of the elements of "sending" and "receiving" are conventional email processes, but also each of the "moving" elements are explicitly described in the originally filed Application. As described in Applicant's previous Response dated December 22, 2009, the two "moving" elements are shown as being selectably setable via a graphical user interface in FIG. 8 (e.g., "sent to people or distribution list") and throughout other figures. The other figures referred to include FIGS. 7 and 17, which specifically state, "Which type of rule do you want to create? ... **Check messages after sending**" and "What do you want to do with the message? ... **Move it to the specified folder.**" (emphasis added) From these two clearly specified rules that are

available for the user to establish, support for the previously amended independent claims is provided in the originally filed Application. (MPEP 2163, "To satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention, See, e.g., *Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1319, 66 USPQ2d 1429, 1438 (Fed. Cir. 2003)) Applicant respectfully submits that the amendments to the independent claims were clearly in the possession of the Applicant based on the specific recitations at least in FIGS. 7 and 17. Applicant further submits that each of these elements are fully supported in the originally filed Application (see, for example, FIG. 26, step 2608 "Send Email from Sender to Recipient" and step 2612 "Move Email to Corresponding Subfolder"). Based on the above, Applicant respectfully requests that the rejection of claims 1, 8, and 15 under 35 U.S.C. 112, first paragraph, be withdrawn.

Rejection under 35 U.S.C. 103

With regard to the rejection of claim 1, Applicant respectfully traverses the rejection.

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." (Abstract) As stated in the Office Action, "Clark does not explicitly teach that the emails sent from user of computer 16 to user of computer 18 are about services orders of services activities ..." (page 5, section 9)

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

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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 ... moving a copy of said other first emails ... receiving other second emails related to said service order by said recipient ... and moving a copy of said other second emails from a sent email folder 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. As stated in the Office Action:

> the combination of Clark and Gilberto does not teach service orders received and tracked by a communication service provider, the combination of Clark and Gilberto does not teach sending other first emails related to said service order by said recipient at said communications service provider to a vendor in an effort to fulfill said service order, and receiving other second emails related to said service order by said recipient at said communications service provider from said vendor in an effort to fulfill said service order. (page 6, section 12)

Boetje describes a Public Switched Telephone Network (PSTN) administration system includes an Internet-based repair (eRepair) subsystem that is configured to accept customer trouble tickets related to the PSTN via the Internet and to provide customer trouble ticket status information to customers via the Internet. (Abstract) As described by Boetje, "Internet-based repair subsystems, referred to herein as eRepair subsystems, have been designed by and/or for network operators and other network service providers." (col. 2, lines 5-8) Applicant respectfully submits that Boetje describes an integrated system into which trouble tickets are submitted and for which service orders are created. Once the system of Boetje has a service order created, status emails may be generated and communicated to customers for providing status updates. Applicant respectfully

submits that the integrated nature of the system described by Boetje results in the same or similar shortcomings with respect to Applicant's claimed invention as did Gilberto, where any emails communicated beyond an initial email for reporting a problem are not organized, as the Boetje system expects updates to be made within the system itself and not via email after a trouble ticket is entered into the system. The system of Boetje is designed as an integrated system and does provide for or integrate with email systems, as commonly used between users. As stated in the Office Action:

> the combination of Clark, Gilberto, and Boetje does not explicitly teach said other first emails including said first and second data from said service order, and said other second emails including said first and second data from said service order. (page 8, section 15)

Litwin describes a system for allowing users to associate various emails within at least one of the user's mailboxes under a common discussion topic or "thread" for organizational purposes. (Abstract) While Litwin allows for organizing emails by sorting on a discussion topic (e.g., as provided by a subject field), Litwin fails to overcome the shortcomings of Clark, Gilberto, and Boetje.

Moreover, a combination of Clark, Gilberto, Boetje, and Litwin would result in a different system than that claimed by Applicant. More specifically, a combination of these four references would result in an integrated order processing system and process, as set forth in Gilberto and Boetje, that does not provide for or integrate with traditional email systems that allows for "sending other first emails related to said service order … to a vendor in an effort to fulfill said service order … moving a copy of said other first emails … receiving other second emails related to said service order … from said vendor … and moving a copy of said other second emails from the sent email folder to said at least one subfolder," as claimed by Applicant. Simply put, *a combined system and process of the four references, as a result of the specific teachings of Gilberto and Boetje, would remove the ability and need for email communications to process service orders.*

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.
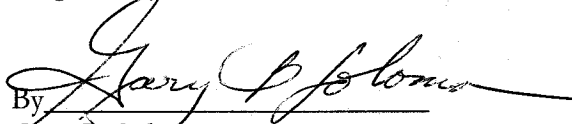
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CONCLUSION

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: 6/10/10

Respectfully submitted,

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