

REMARKS

Claims 1-5 and 7-34 were previously pending. As noted above, claims 1, 3, 5, 7, 9, 11, 13, 15, 17-19, and 21 have been amended. Support for these amendments can be found throughout the originally filed Specification.¹ No new matter has been added. Thus, after entry of the amendments, claims 1-5 and 7-34 remain pending in the present application and subject to further examination.

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

Claim Rejection – 35 USC § 103

Claims 1-5 and 7-34 are rejected under 35 USC § 103(a) as being unpatentable over Hays and further in view of Smith, Umstetter and {Moore or Wortham}.

To the extent the §103 rejection remains applicable to the claims as amended, Applicants respectfully traverse the rejection.

Referring to amended independent claim 1, the recited subject matter relates to a wireless communication apparatus configured to alert a user of a vehicle when out of network that a communication is desired, the wireless communication apparatus comprising:

- a first wireless communication device located in a cab portion of a vehicle and available to a user of the vehicle, wherein the first wireless communication device comprises a display indicator and is configured to:

- couple to a dispatch center via a first wireless communication network;

- couple, via a wired data link, to a second wireless communication device, wherein the second wireless communication device is located in a trailer portion of the vehicle, comprises a satellite communication device, is coupled to a second wireless communication network and is configured to facilitate two-way data communication with the dispatch center;

- receive, over the wired data link, a display signal generated by the second wireless communication device in response to a receipt of a communication request signal originating from the dispatch center when the first wireless communication device loses a connection with the dispatch center over the first wireless communication network, wherein the display signal is configured to cause the display indicator to indicate an alert; and

- supply a communication request confirmation signal to the dispatch center to confirm the communication request signal was received.

¹ See, e.g., Specification, paragraphs [0015] and [0018].

That is, Applicants have generally amended independent claim 1 to its allowable form as indicated in the Notice of Allowability issued on March 23, 2012 in response to the Amendment filed by the Applicants on March 15, 2012.

More specifically, as also acknowledged by the Notice of Allowability issued on March 23, 2012, the cited references, that is, Smith, Umstetter and {Moore or Wortham}, when taken individually or in combination, fail to disclose or suggest at least “a first wireless communication device located in a cab portion of a vehicle and available to a user of the vehicle, wherein the first wireless communication device comprises a display indicator and is configured to: couple to a dispatch center via a first wireless communication network; couple, via a wired data link, to a second wireless communication device, wherein the second wireless communication device is located in a trailer portion of the vehicle, comprises a satellite communication device, is coupled to a second wireless communication network and is configured to facilitate two-way data communication with the dispatch center; receive, over the wired data link, a display signal generated by the second wireless communication device in response to a receipt of a communication request signal originating from the dispatch center when the first wireless communication device loses a connection with the dispatch center over the first wireless communication network, wherein the display signal is configured to cause the display indicator to indicate an alert; and supply a communication request confirmation signal to the dispatch center to confirm the communication request signal was received,” as recited in amended independent claim 1.

Similar arguments to those made above with regard to amended independent claim 1 apply to one or more features of amended independent claims 3, 5, 7, 9, 11, 13, 15, 17-19, and 21 in distinguishing those claims over the cited art. More specifically, as noted above, each of independent claims 3, 5, 7, 9, 11, 13, 15, 17-19, and 21 has also been generally amended to each claim’s respective allowable form as indicated in the Notice of Allowability issued on March 23, 2012. As such, amended independent claims 3, 5, 7, 9, 11, 13, 15, 17-19, and 21 are therefore also allowable for at least the same reasons discussed above.

Claims 2, 4, 8, 10, 12, 14, 16, 20, and 22-34 depend from one of the independent claims, and therefore, likewise define patentable subject matter. Additionally, each of these dependent claims separately recites a combination of subject matter that is not disclosed or suggested by any combination of the cited references.

Therefore, based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-5 and 7-34 under 35 USC § 103(a).


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. 01-2300.

Respectfully submitted,

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