

Pre-Interview Communication (For use in the First Action Interview Pilot Program) Example 2	Application No. XXXXXXXX	Applicant(s) XXXXXXXX	
	Examiner XXXXXXXX	Art Unit XXXX	Page 1 of 3

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is NOT extendable under 37 CFR 1.136(a). This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

To avoid abandonment of the application, applicant must, within this time period for reply, file:

- (1) A letter requesting not to have a first-action interview, or
- (2) A completed Applicant Initiated Interview Request Form (PTOL-413A) accompanied by a proposed amendment or arguments.

Inventor participation in the Pre-First Action Interview is encouraged if it would expedite resolution of the application.

Disposition of Claims

- 3) Claim(s) 1-15 is/are pending in the application.
 - 3a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 4) Claim(s) 15 appear to be allowable.
- 5) Claim(s) 1-14 appear to be rejectable.
- 6) Claim(s) _____ may be subject to an objection.
- 7) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) The specification may be subject to an objection by the Examiner.
- 9) The drawing(s) filed on _____ is/are: a) accepted or b) may be subject to an objection by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: (571)272-XXXXX
 Examiner's Typical Work Schedule: Monday-Friday, 8 a.m. - 4:30 p.m.
 Supervisor's Name: Supervisory XXXX
 Supervisor's Telephone Number: (571) 272-XXXX

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

Pre-Interview Communication Example 2	Application No. XXXXXXXXXXXX		Applicant(s) XXXXXXXXX	
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Notification of Potential Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Potential Rejection
1	1	U,V	103(a)	Reference U discloses claim 1 (see p. 2 lines 35-46 for the grid network, see p.4 lines 11-21 for the grid manager) except for "in response to determining that there are no available (see continuation below)
2	2, 4-7, 9-13	U,V	103(a)	Building on the rejection of claim 1, U discloses : claim 2 (see p. 7, section 5.2); claim 4 (see p. 3 lines 15-18); claim 5 (see p. 4, section 3.2), claims 6, 7 and 9-13 (see p. 4, section 5.4 (see cont.)
3	3	U,V,W	103(a)	U and V do not disclose the plurality of computing devices...is a blade management system. W discloses this at p. 2. It would have been obvious to use W's blade mgt. system with the combined system of U and V in order to adapt easily, (see cont.)
4	8	U,V	103(a)	U does not disclose the network is the world wide web. V discloses this limitation at p. 3. It would have been obvious to use V's world wide web in U's network to facilitate information exchange between users efficiently and quickly.
5	14	U,V,W	103(a)	Reference U and V disclose the limitations of claim 14 (see p. 2 lines 35-46 for the grid network, see p.4 lines 11-21 for the grid manager) except the limitations of using JAVA. (see continuation)

Expanded Discussion/Commentary

1		computing devices having the specific operating system". Reference V discloses this limitation at p. 3 lines 25-30. It would have been obvious to use reference V's algorithm with reference U's Cluster in order to find a suitable Collection of Resources that meet a user's needs (reference V, p. 2 lines 33-37).
2		- note that 5.4 teaches that a RAM or any other known memory may be used, thus covering claims 10-13).
3		operate efficiently, and manage seamlessly (see reference W, p. 2).
5		W discloses this limitation at p. 3 lines 20-39. One would want to utilize the platform-independent characteristic of JAVA programming language in the network of U as it allows for system compatibility across a wide range of systems, giving greater flexibility to the network designer.
		Note - claim 11 is objected to under Rule 75 for failing to have proper antecedence for "said computing systems".

DATE:	Examiner Signature:	Primary Examiner Signature:
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Pre-Interview Communication (continued) Example 2	Application No. XXXXXX	Applicant(s) XXXXXXXXX
	Examiner XXXXXX	Art Unit XXXXXX

Notification of Potential Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Potential Rejection
6	15	None	None	Claim 15 is allowable over the cited prior art. The references neither disclose nor render obvious the claimed feature of modifying the data storage based on whether the asset is selected or non-selected.

Expanded Discussion/Commentary

DATE:	Examiner Signature:	Primary Examiner Signature:
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Notice of References Cited Example 2	Application/Control No. 11XXXXXX	Applicant(s)/Patent Under Reexamination	
	Examiner	Art Unit	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A US-			
	B US-			
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N				
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	Smith, "Design and Evaluation of Framework" IEEE. 1998. pp. 90-99.
V	Chase et al. "Dynamic Virtual Clusters". IEEE. 1997. pp. 30-80.
W	"Blade Server Data Sheet" ACM. 2000. pp. 13-40.
X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.