UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 12/881,528 | 09/14/2010 | Richard M. Chesbrough | 58941 | 1229 |

1609 7590 09/20/2013

ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.
1300 19TH STREET, N.W.
SUITE 600
WASHINGTON,, DC 20036

| EXAMINER | |
|---|---|
| REYES, REGINALD R | |
| **ART UNIT** | **PAPER NUMBER** |
| 3626 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 09/20/2013 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. 12/881,528 | Applicant(s) CHESBROUGH ET AL. | |
|---|---|---|---|
| | Examiner REGINALD R. REYES | Art Unit 3626 | AIA (First Inventor to File) Status No |

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *5-31-13*.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

5)☒ Claim(s) *1-24* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-24* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

**Application Papers**

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to 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).

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

a)☐ All b)☐ Some * c)☐ None of the:

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.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

4) ☐ Other: _____.

The present application is being examined under the pre-AIA first to invent provisions.

## DETAILED ACTION

### *Status of Claims*

1. Claims 1-24 have been examined

### *Notice to Applicant*

2. Examiner is withdrawing the finality and is reopening the application in view of applicant's arguments presented in the appeal filed on 5-31-2013.

### *Response to Amendments/Arguments*

3. With respect to applicant's arguments about the claims, they are moot in view of newly presented art and are addressed below.

### *Claim Rejections - 35 USC § 103*

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any

correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 16, 8-11, 14-21, 23-24 are rejected under pre-AIA 35 U.S.C. 103 (a) as being unpatentable over Zeltzer et al (2003/0182232) in view of Anderson (2004/0214568).

5. Referring to Claim 1, Zeltzer teaches a closed-loop method of communicating information about a condition, comprising the steps of:

a) storing a-profile information in a database, the profile information including a contact information pertaining to each of a plurality of recipients and information regarding at least one mode of communication to reach each of the recipients (“a wide variety of medical, personal, and/or insurance information may be input on a remote (or even local) input device. The input information (shown in FIG. 4) may include, but is not limited to: name; address; home and work phone; date of birth; sex; social security number; emergency contacts; medical and hospital information, such as hospital preference, last hospital admission, blood type, organ donor, and living will

designations; allergies; diagnoses; surgical procedures; medications; health care providers; user's doctor's name and contact information," Zeltzer paragraph 47);

b) providing a computer system in data communication with the database, the computer system providing access to a user to create and update at least the profile information in the database and to generate an alert ("a user's username, password, phone type, cellular provider, and/or usage information, may remain on the server databases 400, however, so that users may update the information," Zeltzer paragraph 68, ("the wireless device may support applications such as custom Java applications in the background, which can alert the user with a reminder," Zeltzer paragraph 72));

c) communicating the alert to one of the persons to be notified recipients using the at least one mode of communication ("the network 300 may be any suitable communications network that is compatible with both the input device 100 and the server 200. The network 300 may include hard-wired components, wireless components, or some combination of the two. In the preferred embodiment, the network 300 may comprise and/or include the Internet" Zeltzer paragraph 39).

Zeltzer does not explicitly teach d) communicating the alert to another one of the persons to be notified recipients in the event that a threshold for communicating the an apparent failed communication of a previously sent alert to at least one of the persons to be notified recipients is reached; e) repeating step d) as necessary until the alert has been acknowledged by at least one of the persons to be notified recipients.

Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can

send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

6. With respect to claim 2, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not teach wherein the information about failure to communicate the notification alert is stored based upon a threshold number of attempts to communicate the notification alert to at least one of the recipients.

Anderson teaches wherein a packet message that is undeliverable, due to an out of range condition, is stored and forwarded once the unit is within a connection range of a receiver translator forwarding module (Anderson claim 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely

would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

7. Referring to Claim 3, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not teach wherein the at least one mode of communication is associated with a level of urgency. Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

8. Referring to Claim 4, Zeltzer in view of Anderson teach the method of claim 1, wherein the at least one mode of communication involves at least one of a telephone call, an automated telephone call, an electronic mail, a facsimile, an SMS message, and

a letter ("the transmission of information back from a wireless device to a remote recipient via text-message, email, facsimile, voice, etc," Zeltzer paragraph 42).

9. Referring to Claim 5, Zeltzer in view of Anderson teach the method of claim 1, wherein the notification alert is transmitted to at least one of the persons to be notified recipients via a telephone, a personal computer, a personal electronic device, an electronic mail server, a facsimile device, and the Internet ("the transmission of information back from a wireless device to a remote recipient via text-message, email, facsimile, voice, etc," Zeltzer paragraph 42).

10. Referring to Claim 6, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not teach including the step of notifying a source of a failed attempt to communicate the notification alert to at least one of the persons to be notified recipients, wherein the source is the user that generates the alert. Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the

combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

11. Referring to Claim 8, Zeltzer in view of Anderson teach the method of claim 1, wherein the at least one mode of communication is a telephonic communication for an emergent finding and another mode of communication for a non-emergent finding ("the transmission of information back from a wireless device to a remote recipient via text-message, email, facsimile, voice, etc," Zeltzer paragraph 42).

12. Referring to Claim 9, Zeltzer in view of Anderson teach the method of claim 1, further including the step of providing a web-based user interface to perform at least one of steps a), c), and d) ("the databases 400 are preferably capable of storing and providing content used for web-based and Wireless Application Protocol (WAP)-based applications of the system," Zeltzer paragraph 41).

13. Referring to Claim 10, Zeltzer in view of Anderson teach the method of claim 1, wherein the computer system includes at least one of an interface server, a database server, a HL7 engine, a database management system, a web server, a notification server, a mail server, a fax , an e-mail notification agent, and an autodial notification agent ("the databases 400 are preferably capable of storing and providing content used

for web-based and Wireless Application Protocol (WAP)-based applications of the system," Zeltzer paragraph 41).

14. Referring to Claim 11, Zeltzer in view of Anderson teach the method of claim 1, wherein the alerts are HL7 compliant ("Provided that the user of the wireless device 500 is authorized (as evidenced by use of the correct user name and password, for example), the information stored in the databases may be transmitted to the wireless device in step 730. The information sent to the wireless device 500 may be stored in memory resident in the wireless device. Data may be stored in a HIPAA approved coded form," Zeltzer paragraph 51).

15. Referring to Claim 14, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not explicitly teach wherein the alert is acknowledged by the at least one of the persons to be notified recipients via at least one of a website and a call center ("time stamping the message within the message sequence at the device level and a time division check between receivers, redundant instances can be canceled/rejected by the URTFM 14 after first confirmation of message recipient," Anderson paragraph 43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and

one of ordinary skill in the art would have recognized that the results of the combination were predictable.

16. Referring to Claim 15, Zeltzer teaches a closed-loop method of communicating information about a condition, comprising the steps of:

a) storing profile information in a database, the profile information including a contact information pertaining to each of a plurality of recipients and information regarding at least one mode of communication to reach each of the recipients ("a wide variety of medical, personal, and/or insurance information may be input on a remote (or even local) input device. The input information (shown in FIG. 4) may include, but is not limited to: name; address; home and work phone; date of birth; sex; social security number; emergency contacts; medical and hospital information, such as hospital preference, last hospital admission, blood type, organ donor, and living will designations; allergies; diagnoses; surgical procedures; medications; health care providers; user's doctor's name and contact information," Zeltzer paragraph 47);

c) communicating the alert to at least one of the recipients using the at least one mode of communication ("the network 300 may be any suitable communications network that is compatible with both the input device 100 and the server 200. The network 300 may include hard-wired components, wireless components, or some combination of the two. In the preferred embodiment, the network 300 may comprise and/or include the Internet" Zeltzer paragraph 39).

Zeltzer does not teach b) providing a computer system in data communication with the database, the computer system providing access to a user to create and update at least the profile information in the database and to generate an alert having a pre-defined threshold for an apparent failed communication to one of the recipients, the alert representing an action to be taken by at least one of recipients;

d) communicating the alert to another one of recipients in the event that the threshold associated with the alert is reached;

e) repeating step d) as necessary until the alert has been acknowledged by at least one of the recipients.

Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

17. With respect to claim 16, Zeltzer in view of Anderson teach the method of claim 15. Zeltzer does not teach wherein the information about failure to communicate the notification alert is stored based upon a threshold number of attempts to communicate the notification alert to at least one of the recipients.

Anderson teaches wherein a packet message that is undeliverable, due to an out of range condition, is stored and forwarded once the unit is within a connection range of a receiver translator forwarding module (Anderson claim 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

18. Referring to Claim 17, Zeltzer in view of Anderson teach the method of claim 15. Zeltzer does not teach including the step of notifying a source of a failed attempt to communicate the notification alert to at least one of the persons to be notified recipients, wherein the source is the user that generates the alert. Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

19. Referring to Claim 18, Zeltzer in view of Anderson teach the method of claim 15, further including the step of providing a web-based user interface to perform at least one of steps a), c), and d) ("the databases 400 are preferably capable of storing and providing content used for web-based and Wireless Application Protocol (WAP)-based applications of the system," Zeltzer paragraph 41).

20. Referring to Claim 19, Zeltzer teaches a closed-loop method of communicating information about a condition, comprising the steps of:

a) storing profile information in a database, the profile information including includes at least a contact information pertaining to each of a plurality of recipients and information regarding at least one mode of communication to reach each of the recipients ("a wide variety of medical, personal, and/or insurance information may be input on a remote (or even local) input device. The input information (shown in FIG. 4) may include, but is not limited to: name; address; home and work phone; date of birth; sex; social security number; emergency contacts; medical and hospital information,

such as hospital preference, last hospital admission, blood type, organ donor, and living will designations; allergies; diagnoses; surgical procedures; medications; health care providers; user's doctor's name and contact information," Zeltzer paragraph 47),

b) providing a computer system in data communication with the database, the computer system providing access to a user to create and update at least the profile information in the database and to generate an alert, the alert representing an action to be taken by at least one of the persons to be notified recipients ("a user's username, password, phone type, cellular provider, and/or usage information, may remain on the server databases 400, however, so that users may update the information," Zeltzer paragraph 68, ("the wireless device may support applications such as custom Java applications in the background, which can alert the user with a reminder," Zeltzer paragraph 72).

Zeltzer does not explicitly teach having a pre-defined threshold an apparent failed communication to one of the recipients

wherein recipients are arranged in a communications hierarchy;

c) communicating the alert to a first one of the recipients using the at least one mode of communication and based upon the communications hierarchy;

d) communicating the alert to the next one of the recipients in communications hierarchy in the event that a previous one of the recipients does not acknowledge the alert within the threshold associated with the alert;

e) repeating step d) as necessary until the alert has been acknowledged by at least one of the recipient.

Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

21. Referring to Claim 20, Zeltzer in view of Anderson teach the method of claim 19. Zeltzer does not teach including the step of notifying a source of a failed attempt to communicate the notification alert to at least one of the persons to be notified recipients, wherein the source is the user that generates the alert. Anderson teaches if a high priority message originating from the MRCD 12 is not acknowledged by a client parent 19 within a selected time period, the URTFM 14 can send a notification to a secondary contact as designated by the parent 19. In the event that secondary contact does not respond, a cascade to message further contacts can be attempted, such as to reach emergency personnel if that is the choice of the parent 19 (Anderson paragraph 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

22. Referring to Claim 21, Zeltzer in view of Anderson teach the method of claim 1, wherein the profile information includes links relating the one or more recipients with one or more authorized institutions and the computer system provides the user access to create or modify the user's link to the one or more authorized institutions ("the information may be sent to the server 200 using normal Internet protocols, such as HTML.," Zeltzer paragraph 48).

23. Referring to Claim 23, Zeltzer in view of Anderson teach the method of claim 1, wherein the computer system periodically requests an acknowledgment input from the recipients to verify that their contact information is updated ("the data is updated by detecting information that is stored on one database and not the other and automatically propagating the most recent data," Zeltzer paragraph 7).

24. Referring to Claim 24, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not explicitly teach wherein the database maintains a permanent record of

notification and receipt in a program file for each patient. Zeltzer teaches By the time stamping the message within the message sequence at the device level and a time division check between receivers, redundant instances can be canceled/rejected by the URTFM 14 after first confirmation of message recipient (Zeltzer paragraph 43)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer in view of Anderson. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

25. Claims 7 and 12 are rejected under pre-AIA 35 U.S.C. 103 (a) as being unpatentable over Zeltzer et al (2003/0182232) in view of Anderson (2004/0214568) and Bennett et al (2002/0161606).

26. Referring to Claim 7, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer in view of Anderson do not teach wherein the condition involves at least one of a medical test result, a radiological test result, and a laboratory test result.

Bennett teaches the central computer (or a computer at the performing laboratory) may interpret the test result and provide an alert or an abnormal flag for the attention of the doctor in the event that the test report includes test results that do not fall within a predetermined "normal" range (Bennett paragraph 33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer, Anderson and Bennett. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

27. Referring to Claim 12, Zeltzer in view of Anderson teach the method of claim 1. Zeltzer does not explicitly teach further including the step of:

reviewing a report including a finding related to the condition, wherein the user generates the alert in response to the finding in the report.

Bennett teaches the central computer (or a computer at the performing laboratory) may interpret the test result and provide an alert or an abnormal flag for the attention of the doctor in the event that the test report includes test results that do not fall within a predetermined "normal" range (Bennett paragraph 33).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer, Anderson and Bennett. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

28. Claim 13 is rejected under pre-AIA 35 U.S.C. 103 (a) as being unpatentable over Zeltzer et al (2003/0182232) in view of Anderson (2004/0214568) and Bennett et al (2002/0161606) and McIlroy (U.S. 5,953,704).

Referring to Claim 13, Zeltzer in view of Anderson the method of claim 12. Zeltzer in view of Anderson and Bennett do not teach further including the steps of: performing an independent review of the report; entering into the database an AGREE or a DISAGREE by a peer with respect to the finding in the report.

McIlroy teaches reviewing a report and identifying whether there is a second opinion is necessary (see for example McIlroy column 13 lines 30-46)

29. Claim 22 is rejected under pre-AIA 35 U.S.C. 103 (a) as being unpatentable over Zeltzer et al (2003/0182232) in view of Anderson (2004/0214568) and (O'Malley 4,996,707).

30. Referring to Claim 22, Zeltzer in view of Anderson teach the method of claim 1 Zeltzer in view of Anderson do not teach to wherein the user generates a report having information about the condition of one or more recipients that is stored in the database; wherein the computer system queries the user to include a pre-defined alert keyword in the report representing an action to be taken by the one or more recipients. O'Malley teaches receiving documents in a system that may include a group of keywords such that any documents containing the group of keywords will result in notification (see for example O'Malley column 11 lines 8-35 and Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeltzer, Anderson and O'Malley. The well known elements described are merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

## ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to REGINALD R. REYES whose telephone number is (571)270-5212. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Morgan can be reached on 571-272-6773. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/REGINALD R REYES/
Examiner, Art Unit 3626