

PATENT OFFICE
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संदर्भ सं. / Ref. No:
POM/Application No /1579/MUM/2011

प्रेषण दिनांक / Date of Dispatch:
23/09/2020

सेवा मे, / To

आवेदक /Applicant:
AVAYA INC

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विपक्षी /Opponent:
NA

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विषय: आवेदन संख्या 1579/MUM/2011 के संदर्भ में सुनवाई नोटिस
Sub: Hearing Notice in Reference of Application No. 1579/MUM/2011

सुनवाई स्थल / Hearing Location: Through Video Conferencing
सुनवाई दिनांक व समय / Hearing Date & Time: 26/10/2020 / 14:00 HRS (IST) for (1h)
नियंत्रक ईमेल /Controller's Emailld: piyushlende.ipo@nic.in

आपके द्वारा प्रथम परीक्षण रिपोर्ट/ अनुवर्ती परीक्षण रिपोर्ट के उत्तर के संदर्भ में, दिनांक 26/10/2020 को 14:00 HRS (IST) for (1h) बजे विडियो कॉन्फ्रेंसिंग मामले में Hearing U/S (14) सुनवाई तय की गयी है। अतः, आपको उपरोक्त दिनांक व समय पर नियंत्रक के सम्क्ष सुनवाई हेतु उपस्थित होना है।

With reference to your reply to the First examination Report/Subsequent Examination Report, a Hearing U/S (14) hearing has been scheduled in the matter through Video Conferencing on 26/10/2020 at 14:00 HRS (IST) for (1h) . You are therefore, required to appear before the Controller for the hearing on said date and time.

इस आवेदन को पेटेंट अनुदान हेतु क्रम में लाने की अंतिम तिथि से पूर्व / अंतिम तिथि के उपरान्त, निम्नलिखित आपत्तियां अभी भी शेष हैं।
The following objection(s) are still outstanding before / after the expiry of last date for putting this application in order for grant of patent.

Piyush Lende
Assistant Controller of Patents & Designs

*दिनांक/समय, स्थल, स्थिति व सुनवाई के बारे में अन्य विवरण के लिए: कृपया निम्नलिखित यूआरएल देखें <http://ipindiaservices.gov.in/PatentCauseList>
Please refer to the following URL for: Date/Time, Venue, Status and other details about the Hearing
<http://ipindiaservices.gov.in/PatentCauseList>

टिप्पणी:- विडियो कॉन्फ्रेंसिंग के माध्यम से सुनवाई के समय के संबंध में मेल अलग से भेजी जाएगी।
Note:- Separate mail will be sent regarding the time of the Hearing through Video Conference.

* Hearing Objections are attached.

Objections

Formal Requirement(s)

1. Note that this Examination is done on the basis of electronically uploaded documents in the e-module only. Therefore, kindly recheck whether application details entered correctly and all documents as filed are uploaded properly. Bring concerned discrepancies to the notice of controller.
2. If any amendment is necessitated in the complete specification then it is required to clearly identify (submission of marked copy) the amendments carried out and to indicate the portion (page no and line no) of the complete specification as filed on which these amendments are based on. Further, the pages wherever amendments are carried out need to be freshly typed on white pages and to be filed in duplicate.

Invention u/s 2(1)(j)

1. In continuation with the inventive step objection as raised in FER following documents shall also be considered as citations
D3: US6278454B1
Discloses: Improved methods and arrangements are provided for actively monitoring and/or controlling calls and related features in a communications system, such as, for example, computer telephony system. A graphical user interface (GUI) is provided to visually represent the telephony resources, features, services, and users prior to, during, and after a call. An operator can interface with the computer telephony system through the selective activation and/or manipulation of graphical and iconic representations of the call, the calling party, and called party as provided through the GUI.

D4: US8418067B2
Discloses: A rich communication profile system with notifications. The system is a feedback mechanism that utilizes rich content, e.g., multimedia content, as one or more indicators that represent the status of a remote user. The system includes a state component that receives information relating to state of at least one entity. A notifications component dynamically renders at least one personalized graphical indicia representative of the entity's state. The entity can be a person, group of people, component, place, and object.

D5: US20050278647A1
Discloses: In a cursor-based computing environment having a display, a user definable interface (UDI) is displayed upon activation by a user. The UDI has a plurality of levels each having a plurality of buttons and is displayed in a selectable position about a pointer position in a display area to reduce pointer commute. The user selects a visual appearance and shape of the UDI, and the number of buttons. The user assigns a command to each of the plurality of buttons at each of the plurality of levels by dragging and dropping from one or more applications of the apparatus.

D6: US7616751B2
Discloses: A method and apparatus are disclosed that provide a technique for managing held calls. In accordance with the illustrative embodiment of the present invention, a call-handling system receives a first indication of whether a messaging resource is available at or near a terminal for which the system is receiving incoming calls. Examples of messaging resources include instant messaging, email, short messaging service, and so forth. The system might also receive a second indication of whether a messaging resource is available at or near the originating terminal of an incoming call. If the first indication and second indication match, the system will prompt the caller of the originating terminal to use the available messaging resource. In some embodiments, the system will also assign the corresponding incoming call a lower priority relative to other calls because of the availability of the alternative form of communication to the caller.

D7: US20100318928A1
Discloses: A graphical user interface made up of icons representing individual files and collectively forming the shape of a spiral is described along with methods of using and creating the graphical user interface. The spiral interface is useful to display detailed information about many of the items in a list and facilitates manipulation of list order and selection of the active file in the list. The interface further permits the use of a representative icon associated with the list as a whole.

D8: US20100011314A1
Discloses: A system, method and computer-readable media for associating additional functionalities with a sidebar GUI of a computational device are included. An operating system may be provided that includes a sidebar software that will typically have limitations that are intended or unintended by the operating system developer. A user may wish to extend the capabilities that are associated with the sidebar in the interest of usability, efficiency and/or GUI appeal. The method of the present invention may provide a gadget which enables access to the sidebar, while associating additional capabilities with the sidebar. Alternately or additionally, a reseller of the operating system or a third party software provider, may offer software products that enable access to the functionality of the sidebar as provided by the sidebar developer, while associating additional capabilities with a display of the sidebar or an icon representative of a sidebar or sidebar functionality.

A person skilled in art can easily perform claimed invention having prior knowledge of D1-D8. Hence claims 1-6 are not inventive over D1-D8.

Non-Patentability u/s 3

1. The objection raised in Para (3) of FER w.r.t. "section 3(k, m, n) of the Patents Act, 1970 (as amended)" cannot be waived off since the applicant has not submitted the proper reply with mere scheme and mental activity and computer software.

Other Requirement(s)

1. Foreign filing particulars of all applications made in foreign countries should be filed within a prescribed time period under Section 8(1) of the Act. Details regarding application for Patents which may be filed outside India from time to time for the same or substantially the same invention should be furnished within six months from the date of filing of the said application under section 8(1)(b) and rule 12(1) of the Act. Details regarding the search and/or examination report including claims of the application allowed, as referred to in Rule 12(3) of the Patent Rules in respect of same or substantially the same invention filed in all countries outside India, along with appropriate translation where applicable, should be submitted within a period of six months from the date of receipt of this communication as provided under section 8(2) of the Patents Act.
2. The applicant shall, notify the controller whether he will attend the hearing or request for adjournment with reasonable cause along with the prescribed fee prescribed in First Schedule, at least 3 days before the date of hearing.

Scope

1. The amendment of the claims shall be within the originally filed claims and shall be fairly based on the matter disclosed in the specification further such specification shall be fully and particularly disclose the invention enabling a person, with average skill in, and average knowledge of, the art to work the invention.

Sufficiency of Disclosure u/s 10 (4)

1. The objection raised in Para 4(I) & 4(II) of FER w.r.t. "Sufficiency of Disclosure" cannot be waived off since the applicant has not submitted the required copy of description and abstract.