Exhibit G
Excerpts from the Prosecution History
of the 6,212,556 Patent

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-11, 34, and 41-54 have been cancelled. Claims 12-33 and 35-40 have been withdrawn. New claims 55-84 have been added and are presented for examination.

The remarks below discuss the rejections made in the original application in the context of the new claims. It is believed that the new claims overcome the rejections of the parent application and are allowable over the cited art. For the Examiner's convenience, the Applicant would like to point out that prior claims 1 and 6 approximately correspond to new claims 55 and 67.

New Title

The Examiner has requested the Applicant to amend the title of the invention. A proposed amendment to the title is included herein. The Examiner's review and approval of the proposed amendment is requested.

Restriction Under 35 U.S.C. §121

The Examiner has made a restriction to the invention under 35 U.S.C. §121. The Applicant hereby confirms the election of Group I with traverse, and claims 12-33 and 35-40 are hereby withdrawn.

Double Patenting

Claims 1-11, 34, and 41-54 of the application have been rejected under the judicially created doctrine of double patenting as being unpatentable over U.S. Patent Number 5,987,500.

Without admitting the appropriateness of the non-statutory double patenting rejection, the

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Applicant submits herewith a Terminal Disclaimer in compliance with 37 C.F.R 1.321 in reference to U.S. Patent No. 5,987,500 to overcome the Examiner's non-statutory double patenting rejection made in paragraphs 3-4 of the Office Action dated 06/29/00.

Additionally, for the record, the Applicant submits the claimed inventions of the 5,987,500 patent and the present application were commonly owned or subject to an obligation of assignment to the same entity at the time the inventions were made.

35 U.S.C. §102(e) Claim Rejections

The Examiner has rejected claims 1-11, 34, and 41-54 under 35 U.S.C. §102(e) as being unpatentable over Focsaneanu, U.S. Pat. No. 5,828,666 ("Focsaneanu").

The Rejection of Claim 1 on Focsaneanu is Overcome

The last Office Action rejected independent claim 1 on Focsaneanu. Claim 1 has been rewritten as new claim 55. Applicants request reconsideration of this rejection because Focsaneanu does not teach or suggest the structure described in the application, corresponding to the "means for switching" and "means for transmitting". Specifically, Focsaneanu does not teach or suggest an application-layer switch or a VAN switch.

Claim 55 recites, "means for switching to a transactional application". As discussed in the application at pages 10-11 and 15-16, the "means for switching" is accomplished by using a VAN switch. As stated at page 15, lines 12-18:

> "A user can connect to a local application, namely one accessible via a local VAN switch, or be routed or "switched" to an application accessible via a remote VAN switch. Switching service 702 is an OSI application layer switch. Switching service 702 thus represents the core of the VAN switch. It performs a number of tasks

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including the routing of user connections to remote VAN switches ..."

Focsaneanu does not teach or suggest application-layer switches. The Examiner has cited Focsaneanu's Access Module as the "means for switching". The Access Module contains a circuit and a database that are used to examine information in a service request and establish a route between the customer terminals and the service providers. Specifically, based on the service request, circuit, and database, the Access Module selects and enables either a PSTN or Data Network to carry the communication traffic between the customer terminal and the service provider. These functions are characteristic of network-layer switches not application-layer switches. The application explains the difference between the network and application layers of the OSI model at page 9. Regarding the network layer:

> "Network layer 303 allows any pair of systems in the network to
> communicate with each other. Network layer 303 contains hardware units
> such as routers, that handle routing, packet fragmentation and reassembly
> of packets."

This describes the functionality of Focsaneanu's Access Module, which performs routing over various types of networks between the client terminal and service provider systems. In contrast, the application layer is described at (page 9, lines 21-23):

> "Application layer 307 provides a means for application programs to
> access the OSI environment. As described above, the present invention is
> implemented to function as a routing switch in applicaton layer 307"

Thus, application-layer switching is clearly foreign to the Focsaneanu patent. The Access Module is not concerned with accessing the OSI environment, but rather establish a route between the customer terminals and the service providers. Accordingly, Focsaneanu

does not teach or suggest the structure of application-layer switches as the "means for switching to a transactional application".

Claims 56-66 depend from claim 55 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

The Rejection of Claim 6 on Focsaneanu is Overcome

The last Office Action rejected independent claim 6 on Focsaneanu. Claim 6 has been rewritten as new claim 67. Applicants request reconsideration of this rejection because Focsaneanu does not teach or suggest: (1) a user selecting a transactional application, or (2) a transactional application that requests transaction data.

Prior to discussing the above two points further, the Applicant will first discuss Focsaneanu briefly. Focsaneanu teaches a system where an access module automatically analyzes a communication signal, using an identifying circuit and a database, in order to determine whether to route the communication on a POTS or data service channel. As discussed at column 8, lines 6-19:

> "A processor 246 performs a selection and enablement of either POTS
> service or data services in response to the identifying circuit. The access
> module also has a local database 248 or has access to a remote database,
> both of which store information concerning the user profile, address table
> and service provider profile, etc. A decoder 250 decodes the modem
> signal and a controller 252 analyzes the contents of a data connection
> request to identify the service requested. Upon identification of the type
> of service requested, the controller performs address conversion, protocol

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conversion, rerouting, etc., and exchanges packetized data formed at PAD 254 (packet assembly/disassembly) with the data network in accordance with information stored in the database."

The Examiner appears to be interpreting Focsaneanu's database as a transactional application. Applicants submit that this is not appropriate, but even with this interpretation Focsaneanu does not show the limitations of the claims. Returning to the two points discussed above:

Claim 67 recites, "providing a transactional application selection mechanism to allow a *user to select a transactional application*". As discussed above and elsewhere in Focsaneanu, use of the database is completely transparent to the user. The user does not select the database (or any other application which could be interpreted as a transactional application), rather the database is used automatically by the processor in response to the access module receiving a communication signal. Accordingly, claim 67 is believed to be allowable.

Claim 67 also recites, "*requesting transaction data* from one or more other computer systems connected with the value added network *with the transactional application*". Even if Focsaneanu's database is interpreted as being a transactional application, there is no teaching or suggestion that the database request transaction data from one or more other computer systems. Accordingly, claim 67 is believed to be allowable.

Claims 68-79 depend from claim 67 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

Claim 80 is a Beauregard-type claim having similar limitations to claim 67 and is also believed to be allowable. Claims 81-84 depend from claim 80 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

The Dependent Claims Are Even More Distinguishable Over Focsaneanu

Claims 68 and 82 recite, "using a routing switch within the application layer of the OSI model to perform application layer routing". As discussed above, Focsaneanu does not teach or suggest application layer switchs. Accordingly, claims 68 and 82 are believed to be allowable.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for a one-month extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. 1.136(a). Enclosed is a check in the amount of $110.00 to cover the necessary fee under 37 C.F.R. 1.17(a). Please charge our Deposit Account No. 02-2666 for any additional charge associated with such an extension.
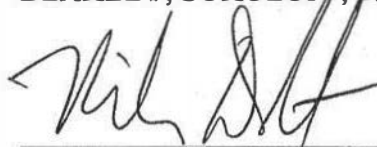
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Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 10/30/00

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