

# **EXHIBIT 1**

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:  
REMBRANDT MESSAGING  
TECHNOLOGIES II, LP  
**Application No.: Not Yet Known**  
**Confirmation No. Not Yet Known**  
**Filed:** June 9, 2020  
For: MESSAGING SERVICES IN A  
WIRELESS COMMUNICATIONS NETWORK  
  
Group: Not Yet Known  
Examiner: Not Yet Known

Our File: RMT-PT001.9

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**PRELIMINARY REMARKS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The mobile wireless device of newly presented claim 1 is adapted to (i.e., made to, designed to, programmed to and/or configured to) transmit (i) “at least some messages to at least some recipient devices that correspond to subscribers of a service for receiving packet-switched messages” and (ii) “at least some messages over a cellular network to at least some recipient devices that do not correspond to subscribers of the service.” (emphasis added). Independent claims 29 and 30 are similar, yet not identical to claim 1.

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A recipient device corresponds to a subscriber of the service if an address corresponding to the recipient device, is registered with and/or has been authenticated by the service. The address may, for example, be a mobile phone number. In this way, a phone number may be used to identify a message recipient without a message sender knowing a user name tag or handle associated the message recipient prior to entering the recipient's phone number.

Messages sent over a cellular network to recipient devices that do not correspond to subscribers of the service may include one or more of messages sent via Short Messaging Service (SMS), Enhanced Messaging Service (EMS) and/or Multimedia Messaging Service (MMS) messaging service protocols. In this way, a non-subscriber may be able to receive one or more of SMS, EMS or MMS type messages. The newly presented claims make clear that a subscriber of a service for receiving packet-switched messages is not merely a subscriber of a cellular network which may, for example, provide such SMS, EMS and/or MMS messaging services. To the contrary, recipient devices that correspond to subscribers of the service are able to receive messages other than SMS, EMS and/or MMS messages which may be routed by a cellular network.

Support for the claim elements a "cellular network includ[es] a core network" and a "server that maintains the subscriber list is located outside of the core network" may be found with reference to FIG. 1 and its associated description. In FIG. 1, cellular network elements, for example, mobile operator base stations 130,

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150 of a cellular network are located outside of the core network 140. The same is true with a “server that maintains the subscriber list.” One of ordinary skill in the art will recognize that a server may be implemented by one or more server(s).

Referring again to FIG. 1, a core network includes one or more entities responsible for: maintaining a database of subscriber information for a cellular network, for example, a home location register (HLR) and/or a home subscriber server (HSS); providing access to a short message service center (SMSC) or multimedia message (MMS) server; and providing Internet access to one or more mobile devices via at least mobile operator base stations. From FIG. 1, one of ordinary skill in the art will recognize that a server located “outside of the core network” is not a server of a cellular core network, such as an HLR or HSS.

Independent claim 1 further recites that “the mobile wireless device is adapted to perform message transmission to the server that receives packet-switched messages transmitted via the service to recipient devices that correspond to subscribers of the service, without routing through the core network.” Support for this claim element is also found with respect to FIG. 1, i.e. via an independent wireless Internet service provider base station 180, 190 and the Internet 160. By avoiding a core network, packet-switched messages sent via the service may be routed without passing through an SMSC or MMS server of a cellular network.

Early consideration and allowance of all pending claims is respectfully requested.

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Respectfully submitted,

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