

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: HENNEMAN, JR. LARRY E. HENNEMAN & ASSOCIATES, PLC 70 N. MAIN ST. THREE RIVERS MI 49093 USA

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

Date of mailing <i>(day/month/year)</i> 15 APRIL 2010 (15.04.2010)
--

Applicant's or agent's file reference 0057-065PCT	FOR FURTHER ACTION See paragraph 2 below
--	--

International application No. PCT/US2009/005073	International filing date <i>(day/month/year)</i> 10 SEPTEMBER 2009 (10.09.2009)	Priority date <i>(day/month/year)</i> 10 SEPTEMBER 2008 (10.09.2008)
---	--	---

International Patent Classification (IPC) or both national classification and IPC G06F 9/30(2006.01)i, G06F 12/00(2006.01)i

Applicant VNS PORTFOLIO LLC et al

<p>1. This opinion contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application <p>2. FURTHER ACTION</p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>
--

Name and mailing address of the ISA/KR Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302 -701, Republic of Korea Facsimile No. 82-42-472-7140	Date of completion of this opinion 14 APRIL 2010 (14.04.2010)	Authorized officer Park Ji Eun Telephone No.82-42-481-5696
---	--	--



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2009/005073

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of :
 - the international application in the language in which it was filed
 - a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:
 - a. a sequence listing filed or furnished
 - on paper
 - in electronic form
 - b. time of filing or furnishing
 - contained in the international application as filed.
 - filed together with the international application in electronic form.
 - furnished subsequently to this Authority for the purposes of search.
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2009/005073

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-22</u>	YES
	Claims	<u>NONE</u>	NO
Inventive step (IS)	Claims	<u>1-22</u>	YES
	Claims	<u>NONE</u>	NO
Industrial applicability (IA)	Claims	<u>1-22</u>	YES
	Claims	<u>NONE</u>	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 2005-0216703 A1 (DIEFFENDERFER, J. N. et al.) 29 September 2005

D2: US 2002-0124162 A1 (YUNG, R. et al.) 05 September 2002

D3: US 2003-0046518 A1 (KARP, A. H. et al.) 06 March 2003

D4: US 2007-0055961 A1 (CALLISTER, J. R. et al.) 08 March 2007

1. Novelty and Inventive Step

1.1 Claims 1-9

The subject matter of claim 1 differs from these prior art documents D1-D4 in a comparator fetching arithmetic logic unit instructions substantially coincident with the execution of a prior arithmetic logic unit instruction to reduce latency associated with waiting for fetching of instructions until a prior instruction is executed. This is accomplished without supplementary caching as conventionally used in so-called pre-fetch operations and processes. And it is not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claim 1 meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claims 2-9 are dependant on claim 1 and therefore meet the requirements of PCT Article 33(2) and (3).

1.2 Claims 10-14

Claim 10 relates to a method according to claim 1. Therefore, claim 10 satisfies the criteria set out in PCT Article 33(2)-(3).

Claims 11-14 are dependant on claim 10 and therefore meet the requirements of PCT Article 33(2) and (3).

(Continued on Supplemental Box)

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of :

(from Box V)

1.3 Claims 15-22

The subject matter of claim 15 differs from these prior art documents D1-D4 in a computer processor comprising a comparator for determining if an incoming instruction is an arithmetic logic instruction and immediately fetching the next instruction if the previous instruction was an arithmetic logic instruction. And it is not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claim 15 meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claims 16-22 are dependant on claim 15 and therefore meet the requirements of PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-22 are industrially applicable under PCT Article 33(4).