RECEIVED

MAY 17 2013

CENTRAL REEXAMINATION UNIT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Ex Parte Reexamination of:	
U.S. Patent No. 7,010,508 to LOCKWOOD	Confirmation No.: 1015
Control No.: 90/012,671	Art Unit: 3992
Filed: September 15, 2012	Examiner: REICHLE, Karin M.
For: **Automated Multimedia Data Processing Network**	Patent Owner's Atty. Docket: 3323.002REX5

Patent Owner's Reply to Office Action in *Ex Parte* Reexamination

***Mail Stop "Ex Parte* Reexam"**
Attn: Central Reexamination Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The intrinsic and extrinsic evidence demonstrate "stored data" recited in "means for analyzing and for combining an user's entry with a set of stored data" is broadly interpreted by a person having ordinary skill in the art at the time of the invention to mean ***data accessed from a remote location***. Johnson's standalone computer uses "rules," i.e., machine instructions, to operate on facts and user input and cannot perform any bi-directional communication – cannot access anything remote from the standalone computer. Hence, neither Johnson's "rules" nor any other disclosure can anticipate at least the claimed "stored data." Patent Owner therefore requests reconsideration and confirmation of rejected independent claim 8 and its dependents 9-15.

The Office granted a one-month extension of time in its petition decision mailed on March 14, 2013 to extend the due date for this Reply to from April 20, 2013 to May 20, 2013.

Fees for additional claims are being paid. If additional fees are necessary to prevent abandonment of this reexamination, then such fees are hereby authorized to be charged to our Deposit Account No. 19-0036.

DOCKET ALARM Find authenticated court documents without watermarks at docketalarm.com.

Lockwood 35 U.S.C. § 1.131 Declaration Exhibits

Exhibit	*Description*
Lockwood Exhibit A	Conception Claim Chart – Mapping claim terms to conception documents
Lockwood Exhibit B	Priority Claim Chart: Mapping of '508 patent claims to '525 application
Lockwood Exhibit C	Lawrence Lockwood Rule 131 Declaration
Lockwood Exhibit D	Henri J.A. Charmasson Rule 131 Declaration
Lockwood Exhibit 1	U.S. Patent No. 4,359,631 (now RE32,115) - Filed July 11, 1980
Lockwood Exhibit 2	Letter from State of California Department of Insurance - July 27, 1982
Lockwood Exhibit 3	U.S. Patent No. D286,956 - Filed September 26, 1982
Lockwood Exhibit 4	Automated Insurance Centers (AIC) Painting - Fall 1982
Lockwood Exhibit 5	Centron Automated Insurance Centers - Spring 1983
Lockwood Exhibit 6	Letter from PIA Merchandising Co. - January 4, 1983
Lockwood Exhibit 7	The Research Project - Automated Insurance Centers - May 1983
Lockwood Exhibit 8	Gerald K. Moore's Summary of Expended Time - June 1983 to December 1983; Insurance Company Letters - August to September 1983
Lockwood Exhibit 9	Centron Automated Insurance Centers Business Plan - August 1983
Lockwood Exhibit 10	Consumer Marketing Inc. and Centron's Marketing Agreement - October 1983
Lockwood Exhibit 11	Automated Insurance Centers Scale Model - November 21, 1983
Lockwood Exhibit 12	Consumer Marketing Inc., Security Pacific Insurance Services, Inc., and Automated Insurance Centers Proposal - February 1984
Lockwood Exhibit 13	Com Technology, Inc. and Centron AIC Demonstration Agreement - October 1983; Proprietary Rights Agreement - February 1984
Lockwood Exhibit 14	Com Technology, Inc., The Automated Insurance System - August 1983
Lockwood Exhibit 15	Proprietary Rights Agreement - February 1984
Lockwood Exhibit 16	Automated Insurance Network - April 1984
Lockwood Exhibit 17	U.S. Patent No. 4,567,359 - Filed May 24, 1984
Lockwood Exhibit 18	Com Technology, Inc. Digital Equipment Corporation Invoice September 1984

Smoot 35 U.S.C. § 1.132 Declaration Exhibits

Exhibit	*Description*
Smoot Exhibit A	*Curriculum Vitae* for Steven W. Smoot
Smoot Exhibit B	*PDP11 Systems and Options Summary* - April to June 1982
Smoot Exhibit C	*fig-FORTH for PDP11 - Assembly Source Listing with Compiler Security and Variable Length Names* - January 1980
Smoot Exhibit D	Steven W. Smoot Rule 132 Declaration

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

Table of Contents

I. Status of the Claims 5
II. Introduction 12
III. Statement of Substance of the Examiner Interview of April 24, 2013 13
IV. Response to rejections 14
A. "Stored data" should be interpreted to mean data accessed from a remote location in the claim feature "means for analyzing and for combining an user's entry with a set of stored data" 14
1. Reexamination claim construction case law 15
2. Patent Owner can be his own lexicographer 15
3. "Means-plus-function" case law 16
4. Proper interpretation of the term "means for analyzing and for combining an user's entry with a set of stored data," requires interpretation of the term "set of stored data" to mean data accessed from a remote location 18
a) Patent Owner was his own lexicographer for "stored data" showing the term meant data accessed from a remote location 18
b) Structure in the specification: terminal's general purpose computer performs an algorithm that "analyzes" and "combines" both inputted "user entry" and accessed "stored data" 19
c) Technical expert's understanding of what a POSITA would interpret as "stored data" is data accessed from a remote location 23
d) The Board's understanding of "stored data" is data accessed from a remote location, and is consistent with the specification and expert declaration evidence 24
e) The intrinsic evidence points to only one broad interpretation for "stored data" – data accessed from a remote location 26
B. Johnson's "rules," i.e., machine instructions, cannot anticipate the claimed "stored data," e.g., data accessed from a remote location 26
1. Johnson's use of rules does not disclose the claimed combining a user's entry with data accessed from a remote location 27
2. Johnson is a standalone expert system that has no ability to communicate with any other device, and thus cannot access data from a remote location, e.g., cannot disclose "stored data" 31
3. Johnson's standalone system that operates using rules cannot disclose "means for analyzing and for combining an user's entry with a set of stored data" where the "stored data" is accessed from a remote location 32
4. Summary of why claim 8 patentably distinguishes from Johnson 32
C. The combination of Johnson and AIC fails to establish prima facie obviousness because AIC fails to cure the deficiencies of Johnson with respect to claim 8 33
V. Patent Owner's Rule 131 Declarations prove conception, diligence and a reduction to practice that removes Johnson as a reference 35
A. Overview of a legal "invention" 35
B. Conception 35
C. Diligence 36
D. Constructive reduction to practice 37

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

E. Patent Owner has antedated Johnson....37
F. Conception prior to September 1983....37
G. Diligence from just before the effective date until the constructive reduction practice....37
H. Mr. Lockwood signed the Rule 131 Declaration on behalf of Patent Owner....38
I. Conclusion....39
VI. Discussion of new claims....39
VII. Conclusion....40

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

I. Status of the Claims

Claims 1-17 of U.S. Patent No. 7,010,508 ("the '508 patent") are subject to the present reexamination. Claims 1-7 and 16-17 are confirmed, claims 8-15 are rejected, and claims 18-25 are sought to be added, of which claims 18 and 22 are independent. A listing of all Original Patent Claims (claims 1-17) from the '508 patent is presented here for convenience:

1. (Original Patent Claim) An automated multimedia system for data processing which comprises:

a computerized installation including a database, means for entering data into said database, and a program means for storing, processing, updating, and retrieving data items in response to coded requests from stations in communication with said installation;

at least one station including a general purpose computer and a program applicable to said computer for sending said requests to said installation;

means for communicating data back and forth between said installation and said station;

said station further including:

a mass memory and means associated therewith for storing and retrieving textual and graphical data;

a video display and means associated therewith for displaying textual and graphical data;

means for entering information into said computer;

means for programming sequences of inquiring messages on said video display in accordance with preset routines and in response to said information;

said sequences including instructions to an operator of said station for operating said station; and

means for selectively and interactively presenting to said operator interrelated textual and graphical data describing a plurality of transaction options, and for selectively retrieving data from said mass memory;

means for storing information, inquiries, and orders for transactions entered by said operator via said means for entering information;

means for transmitting said inquiries and orders to said installation via said means for communicating;

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.