

THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 _____ is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of:
- Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: |



Notice to Applicant(s)

1. This application has been examined. Claims 1-20 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 4 recites the limitation "printing customer facility" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jebens et al (Jebens) (U. S. 6,321,231) in view of Jecha et al (Jecha) (U. S. 6,247,011).

With respect to claim 1, Jebens discloses a printing and publishing system comprising an end user facility (14) coupled to a communication network (figure 2), the end user facility page building operations including the construction of pages from images, text and data available via the network (which reads on the user preparing a document) (column 2, lines 40-46); a printing facility coupled to the network (the printer in part 10 of figure 2), and a central service facility (10) coupled to the communication network (figure 2), the central service facility providing storage (column 9, lines 13-20), file processing (column 9, lines 46-60), remote access (to enable searching) (column 9, lines 30-36), and content management (column 9, line 30 to column 10, line 52); the content management including the capture and archival (column 9, lines 13-29), retrieval and reuse (column 12, lines 25-65) of electronic (digital) files containing text (column 12, lines 25-65); content management operations further including the organization and cataloging of file content (by filename) (column 9, lines 21-45) for browsing, searching and retrieving of files and data (column 12, lines 10-65).

Jebens differs from claim 1 in that although he discloses converting the data to an Open Pre-press Interface file (column 10, lines 53-56), he does not clearly disclose providing pre-press services which provide imposition operations including the setting of pages on a particular plate as well as positioning and orientation of pages on the plate.

Jecha discloses a computerized pre-press system for the printing of documents prepared by a client (200) and stored in a server (202) (column 4, lines 54-61). "Pre-press" includes all printing operations prior to press work, including design and layout, typesetting/imagesetting, color separation, image assembly and platemaking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jebens to provide pre-press services. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jebens by the teaching of Jecha in order to give the user more control over how the final image is printed.

With regard to claim 2, Jebens discloses the end user facility (14) comprises a communications routing device (43) coupling the end user device (14) to the network; a computer (46), and a proofer (50).

With respect to claims 3 and 8, Jebens discloses asynchronous transfer mode (column 6, lines 43-51).

With regard to claim 5, Jebens discloses the central service facility (10) comprises a communication routing device (22); a server (32), and storage device (20 and 28).

With respect to claim 6, Jebens discloses Ethernet ports (column 6, lines 38-51).

With regard to claim 7, Jebens discloses a packet switched or cell switched network (which reads on the Internet, since the Internet is a packet switched network) (column 7, lines 1-21).

With respect to claim 9, Jebens discloses the central service facility is located remotely from the print facility the end user facility (figure 2).

With respect to claims 10, 12, and 14, Jebens discloses storing files containing information relating to images text and data on a computer server (column 8, lines 3-36 and column 9, lines 13-20) and providing the files to a remote client for designing of a page layout (column 5, lines 11-22). Jebens differs from claims 10, 12, and 14 in that he does not clearly disclose generating a PDF file from the data and generating a plate ready file from the PDF file.

Jecha discloses generating a PDF file from image data (column 4, lines 30-61) and generating a plate ready file (which reads on a pre-press file) from the PDF file (column 4, lines 54-61), and transmitting the data to a printer (column 4, lines 62-64), wherein the PDF file may be converted to Postscript (column 4, lines 54-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jebens to generate a PDF file from the data and generate a plate ready file from the PDF file. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Jebens by the teaching of Jecha in order to convert the data to a format which would be more easily processed by the printer.

With respect to claims 11 and 13, Jebens discloses proving the file over the network to the user for revision of the page layout (column 5, lines 11-22).

With regard to claim 15, Jebens discloses logging the files into content management database (database) (column 9, lines 13-60 and column 11, lines 4-13).

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