

Ex. GOOG 1012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT "A"

APPLICANT: Heinz Mattes                      GROUP ART UNIT: 2743  
SERIAL NO.: 08/877,488                      EXAMINER: G. Eng  
FILING DATE: June 17, 1997  
INVENTION: APPARATUS AND METHOD FOR RECORDING,  
COMMUNICATING AND ADMINISTERING DIGITAL IMAGES

Hon. Assistant Commissioner for Patents  
Washington D.C. 20231

SIR:

In response to the Office Action dated June 5, 1998, amend the above-identified application as follows:

**IN THE CLAIMS**

In claim 1, line 4, change "call;" to --call,--.

**REMARKS**

In the Office Action, the Examiner objected to claim 1 on the basis of punctuation, rejected claims 1, 2, 5 - 12, 16 and 19 - 24 as obvious over Parulski in view of Kawamura, rejected claims 4 and 18 as obvious over Parulski in view of Kawamura in further view of Ishii, rejected claims 13 and 14 as obvious over Parulski in view of Kawamura further in

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view of Morin, rejected claim 15 as obvious over Parulski in view of Kawamura further in view of Nguyen, and indicated that claims 3 and 17 would be allowable if redrafted in independent form.

### **Claim objection**

The correction suggested for claim 1 has been entered, as set forth above.

### **35 U.S.C. §103**

The Parulski reference discloses a telephone with a digital camera that can be attached to the telephone or provided as a combination unit. The telephone contains a small screen for displaying the registered digital image as well as a keypad for inputting a telephone number, a processor (CPU), and a storage for storing the digital images. Parulski further describes the transmission of the digital images via a radio telephone network to one or a plurality of telefax devices at which the output of the transmitted images occurs directly as a telefax. The telefax devices that receive the transmitted image data are not servers, but solely serve as output devices.

Parulski does not once suggest that other data could be added to the image information or that the data be such that certain sequential or structural aspects could be potentially inferred from it.

The present invention is based on the problem of creating a communication system for recording and administering digital images wherein the administering and archiving of digital images occurs simply, rapidly, and synoptically. Because of the pure output of the transmission of digital images via the telefax device in Parulski, this reference does not

involve an administering of digital images. A different objective thus underlies the invention as compared to Parulski. In Parulski there is no reference to a server. Accordingly, the arrangement of the server according to the invention is not indicated in Parulski, either.

In the Kawamura reference, the images registered by a digital camera are to be reduced for indexing. The reference discloses a system for classifying image data based on the time that the images are registered. Registered images are analyzed and grouped with respect to the time of their registering, or as to whether the images are registered during a continuous photography mode. Images are also grouped by the attitude (landscape or portrait position) of the camera. The images classified using this system are reduced and recorded within one image. It is the continuous photography mode that determines the grouping of the images. . In the reference, storage of the images is local to the camera. The images are recorded in a memory card. However, Kawamura does not suggest a communication system which has a telephone unit with a digital camera and a communication network for transmitting the digital images to a server.

The present invention is thus based on a different problem than Kawamura.

A communication system, or respectively, a method for registering and administering digital images is created by the present invention with which it becomes possible in the most widely varying fields of application to register images at an arbitrary location by a user, to transmit the stored images to a server over a communication network via a telephone unit in which the images are stored, and to enable an automatic archiving in the server of the image data registered at a completely different location rapidly and in uncomplicated fashion.

Such a scenario is not even suggested in Parulski or in Kawamura. Based on Parulski, there is no indication of expanding the telephone described in Parulski into a communication system with an "intelligent server", either. The person skilled in the art thus does not find the invention obvious on the basis of Parulski, even when this is considered jointly with Kawamura. The invention is thus inventive relative to Parulski and Kawamura in combination.

The Ishii reference teaches speech recognition unit for dialing a telephone by voice input of the number to be dialed. This reference has nothing to do with registering digital images or with classifying the images on a server according to a classification system. There is no convincing showing as to why one of ordinary skill in the art would turn to this reference for a teaching to improve Parulski and Kawamura, either individually or in combination.

Morin discloses language acquisition which works with a telephone system. Digital image handling or registering is not suggested or taught. One would not turn to this reference in combination with Parulski and Kawamura.

The Nguyen reference relates to database management over the Internet using SQL queries. By providing output in HTML format, the user may view the output reports on the Internet. There is no teaching or incentive to combine this reference with a digital registering apparatus or a telephone apparatus. There is nothing in the art which would lead one of ordinary skill to combine this reference with Parulski and Kawamura.

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