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EXAMINER

LM61/0605

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ART UNIT

ENG. C

PAPER NUMBER

2743  
DATE MAILED:

06/05/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

06/17/97	Matter
Examiner George Eng	Group Art Unit 2743

Responsive to communication(s) filed on Jun 17, 1997

This action is FINAL.

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.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1, 2, 4-16, and 18-24 is/are rejected.

Claim(s) 3 and 17 is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s) 4

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: on claim 1, line 4, ‘;’ should be --,--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. 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.

3. Claims 1-2, 5-12, 16 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (US PAT. 5,666,159 hereinafter Parulski) in view of Kawamura et al. (US PAT. 5,576,759 hereinafter Kawamura).

Regarding claim 1, Parulski teaches a communication system as shown in figure 11 comprising:

- a) a telephone unit 48 as shown in figure 9 including a telephone portion, i.e., a keypad 58, for making telephone call, a camera module 68 for recording image, a memory unit 64, a control processing unit 62;

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- b) a computer, i.e., a server, including a receiver C for receiving data from the telephone unit 48;
- c) a transmission system connection.

Parulski differs from the claimed invention in not having a classification unit to classify image data. However, Kawamura teaches an image processing for classifying image data into specific group such that the image data may be easily view when displayed. See col. 2 lines 13-64. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Parulski having a classification unit in the computer because of easily view as the image data classified.

Regarding claim 16, Parulski teaches a combined telephone/camera 48 as shown in figure 9 having

- a) a camera module 68 for recording image;
- b) a memory unit 64 for storing image data;
- c) a cellular transceiver for transmitting data;
- d) a computer for receiving image data (see figure 11).

Note while Parulski does not specifically teaches to store the image in the computer, it is obvious to have the computer storing the image data in order to display. Parulski differs from the claimed invention in not having a classification unit to classify received image data. However, Kawamura teaches an image processing for classifying image data into specific group such that the image data may be easily view when displayed. See col. 2 lines 13-64. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to

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