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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT "B"

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 November 27, 1998, amend the above-identified application as follows:

IN THE SPECIFICATION

On page 3, in line 9, change "Theses" to --These--; and

in line 11, before "telephone function" insert --a--.

IN THE CLAIMS

Amend claim 12 as follows:

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11 ~~12~~.(Amended) A communication system as claimed in claim 1, wherein said server includes a control unit for controlling resolution of digital images in said at least one telephone unit [and/or controlling a transmission rate of data used in the transmission system for transmission of the digital images].

Add new claim 25 as follows:

15 ~~25~~. A communication system as claimed in claim 1, wherein said server includes a control unit for controlling a transmission rate of data used in the transmission system for transmission of the digital images.

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Add new claim 26 as follows:

16 ~~26~~. A communication system as claimed in claim 1, wherein said server includes a control unit for controlling resolution of digital images in said at least one telephone unit and controlling a transmission rate of data used in the transmission system for transmission of the digital images.

REMARKS

In the Office Action, the Examiner rejected claim 12 under the second paragraph of section 112, rejected claims 1, 2, 5 - 12, 16, 17 and 19-24 as obvious over Tatsumi et al in view of Parulski et al., rejected claim 2 as obvious over Tatsumi and Parulski in view of Parulski 159, rejected claims 4 and 18 as obvious over Tatsumi and Parulski in view of Ishii, rejected claims 13 and 14 as obvious over Tatsumi and Parulski in view of Morin, rejected claim 15 as obvious over Tatsumi and Parulski in view Nguyen, and cited additional art of record.

35 U.S.C. 112, 2ND ¶

The claim 12 as previously presented was not unclear. The Examiner in the action correctly recognized the scope of the claim as covering a control unit that is able to control either resolution or transmission rate or both. Alternative claiming is not improper if the scope of the claim can be easily determined and no ambiguity arises (see MPEP 2173.05(h). In the interest of eliminating concerns about the scope of the claim, however, the claim 12 has been amended to claim one possibility, while new claims 25 and 26 directed to the other possibilities.

35 U.S.C. §103

Tatsumi et al. describe a communication system for the transmission of moving images and of audio information associated with the moving images, in other words, a video telephone. The transmission of the video telephone communication is by high speed transmission lines, such as ISDN. Audio and video portions of the signal are separated from one another. The data is stored in a way to overcome problems of regenerating the video data, which is the main focus of this reference. The communication occurs in the system according to the H.261 video communication standard. Furthermore, in this communication system, the communication usually occurs during the pickup of the corresponding moving image data current.

The Tatsumi reference does not contain any references to an addition of classifying information to individual images of the moving image data current. Nor is there any reference to an analysis of the received data current with respect to ordering features

contained in the data current, on the basis of which an automatic archiving of image data occurs in a server. All developments disclosed in this references are for the purpose of regenerating the video signal.

One of ordinary skill in this art would not be lead to combining the teachings of Tatsumi and Parulski '678. There is no suggestion that the advances taught in video telephones could apply in still cameras.

Parulski '678 describes a camera for capturing still images, whereby the camera comprises an input unit for the assigning of categories into which the subsequently registered digital still images are classified. The user of the camera selects a category for classifying an image using a user control. The still images are stored in a memory of the camera. It is stated in Parulski that the images are stored in a memory which is removably provided in the camera. The moment the memory in the camera is full, the memory is removed from the camera, and the data are transferred to a computer. The computer stores the transferred image data in a data base so that a user can search images of a specifiable category in the database.

In the camera according to Parulski, the replacement of the memory and the manual transfer of the memory contents to a server are required. It is thus always necessary, after the pickup of the images, for the user of the camera to travel from his image capture location to the location at which the server is located and to preform the transfer of the image data on the server there.

But it is precisely this significant disadvantage which is avoided by the invention. According to the invention, it is possible to transfer the image data to a server via a

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