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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
2622	

2622

DATE MAILED: 08/09/2005

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



## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendments were received on 5/20/05 and 5/2/05, and have been entered and made of record. Currently, **claims 1-4, 7-9, 12, 13, 18-20, 22-30, and 35-62** are pending.

### *Response to Affidavit under 37 CFR 1.131*

2. The affidavit filed on 1/6/05 under 37 CFR 1.131 is sufficient to overcome the cited references of Wertsberger (U.S. Patent Number 6,072,600), Parulski *et al.* (U.S. Patent Number 5,666,159), Shibata *et al.* (U.S. Patent Number 5,689,300), and Bradley *et al.* (U.S. Patent Number 5,995,041).

3. However, the affidavit is ineffective to overcome the references of Hassan *et al.* (U.S. Patent Number 5,550,646) and Ross (U.S. Patent Number 5,546,194).

4. These two references, as well as the additional references that are noted in this Office action, are cited under 35 U.S.C. 102(b), which is a statutory bar under 35 U.S.C. 102(b), and thus cannot be overcome by an affidavit or declaration under 37 CFR 1.131.

### *Drawings*

5. The drawings were received on 5/20/05. These drawings are unacceptable by the examiner. The replacement sheets that were submitted are unreadable, as many of the lines and lettering within the drawings are faded and blurred due to numerous copies of the images.

Therefore, the objection to the drawings remains, and will be repeated hereinbelow.

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6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "81" has been used to designate both the hardwired personal computer in Fig. 4 and the data multiplexer circuit in Fig. 5, and reference character "83" has been used to designate both the communications interface module in Fig. 4 and the sync signal in Fig. 5.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference numeral "29", in paragraph 0049, line 18.

8. The drawings are objected to because in Fig. 4, PC modem protocol box "66" should read "68", as read in paragraph 0053, lines 20 and 21.

9. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Response to Arguments***

10. Applicant's arguments filed 5/2/05, with respect to the reference of Hassan *et al.*, which was cited in the Office action dated 9/27/04 as anticipating claim 1, have been fully considered but they are not persuasive.

In response to applicant's arguments dated 5/2/05 regarding the rejection of independent claim 1, wherein applicant argues on pages 16 and 17 that Hassan fails to teach of how using a cellular line is implemented, thus failing to teach of "a self-contained image processing system...for capturing a visual image and transmitting it to a remote receiving station ... a processor ... a communications device...adapted for transmitting the data signal to the remote receiving station and a wireless transmission system between the communications device and the compatible receiving station".

As read in column 2, lines 49-54, Hassan states that "the image capture device can be connected or gain access to a telecommunications network, such as by being connected to an ordinary telephone jack 130 by a telephone line 131, or being connected to a cellular telephone arranged to establish an over the air communications link." With this, Hassan teaches that the image capture device 110, seen in Fig. 1, can be connected to a cellular telephone, instead of the ordinary telephone line and telephone jack seen in Fig. 1. Thus, an "air communications link" of the cellular telephone is being interpreted as "a wireless transmission system between the communication s device and the compatible receiving station", as currently required in claim 1. Further, as read in column 5, lines 7-9, Hassan teaches that "the output of fax modem 240 may be applied as an input to the transmitter section of a cellular telephone". This shows how Hassan implements the cellular network for the system.

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