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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/336,470	01/03/2003	David A. Monroe	121817.0002.042	8448
7590 08/09/2005 Robert C Curfiss JACKSON WALKER L.L.P. 112 E. Pecan Street, Suite 2100 San Antonio, TX 78205			EXAMINER POKRZYWA, JOSEPH R	
			2622	

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



	Application No.	Applicant(s)			
	10/336,470	MONROE, DAVID A.			
Office Action Summary	Examiner	Art Unit			
	Joseph R. Pokrzywa	2622			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM 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 <u>20 May 2005</u> .					
·	is action is non-final.				
3) Since this application is in condition for allowed	·				
Disposition of Claims					
 4) ☐ Claim(s) 1-4,7-9,12,13,18-20,22-30 and 35-62 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-4,7-9,12,13,18-20,22-30 and 35-62 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) 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 20 May 2005 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). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
12) Acknowledgment 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: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. 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.					
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Di 5) Notice of Informal F 6) Other:				



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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 modern 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.



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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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