

## United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR LISA T. WOOD	ATTORNEY DOCKET NO.	CONFIRMATION NO. 9787
09/357,836	07	7/21/1999		032374-003	
21839	7590	11/23/2001			
		ECKER & MAT	EXAMINER		
	FICE BOX 1404 IDRIA, VA 22313-1404			BUI, TRONG D.	
				ART UNIT	PAPER NUMBER
				2173	
				DATE MAILED: 11/22/2001	

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

	Application No.	Applicant(s)				
	09/357,836	WOOD ET AL.				
Office Action Summary	Examiner	Art Unit				
<u> </u>	Tony Bui	2173				
The MAILING DATE of this communication						
Period for Reply						
A SHORTENED STATUTORY PERIOD FOR RETHE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication - If the period for reply specified above is less than thirty (30) days, and If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by soon - Any reply received by the Office later than three months after the meanned patent term adjustment. See 37 CFR 1.704(b).	DN.  R 1.136(a). In no event, however, may a re  n.  a reply within the statutory minimum of thirty eriod will apply and will expire SIX (6) MONT tatute, cause the application to become AB.	eply be timely filed  r (30) days will be considered timely.  ITHS from the mailing date of this communication.  ANDONED (35 U.S.C. § 133).				
1) Responsive to communication(s) filed on	<u></u> •					
20)	This action is non-final.					
3) 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 <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4)⊠ Claim(s) <u>1-6</u> is/are pending in the applicat						
4a) Of the above claim(s) is/are with	ndrawn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-6</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction a	ind/or election requirement.					
Application Papers						
9) The specification is objected to by the Exam		. Forman				
10) The drawing(s) filed on is/are: a)						
Applicant may not request that any objection						
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.						
If approved, corrected drawings are required  12) The oath or declaration is objected to by the						
'-	ic Examinor.					
Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
	oreign priority under 50 0.0.0.	3 (4) (4) 5. (1).				
a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority docu	ments have been received					
		Application No.				
application from the Internation  * See the attached detailed Office action for	al Bureau (PCT Rule 17.2(a)). a list of the certified copies not	received.				
14) Acknowledgment is made of a claim for do						
a) ☐ The translation of the foreign language 15)☐ Acknowledgment is made of a claim for do	ge provisional application has bomestic priority under 35 U.S.C	peen received. . §§ 120 and/or 121.				
Attachment(s)	, <b>—</b>	Commence (DTO 442) Paras No(a)				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-94)		Summary (PTO-413) Paper No(s)  Informal Patent Application (PTO-152)				



Art Unit: 2173

### DETAILED ACTION

## **Drawings**

1. The drawings filed on July 21, 1999 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review." PTO-948. In order to avoid abandonment of this application, correction is required.

## Claim Objections

2. Claims 3 – 6 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

## Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112: The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 2, 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the use of alternative limitations is not permitted in the claims. The alternative limitations recited in Claim 2 include "Changing the aspect ratio or otherwise cropping", "Changing the orientation or otherwise rotating..." and "Combining (including stitching) of multiple media objects, or Enhancing the image by changing its contrast". Claim 5 recites the alternative limitation, "media object is associated or processed". Claim 6 recites the alternative limitation, "generated dynamically or generated from preset instructions".--The claims must be amended to include positive limitations, clearly reciting what applicant regards as the invention.



Art Unit: 2173

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all 5. 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 negatived by the manner in which the invention was made.

Claims 1 - 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over 6. U.S. Patent No. 6,035,323 to Narayen et al. in view of Netscape Communications Corporation's *Netscape Communicator 4.75* software.

Narayen et al. discloses methods and apparatuses for publishing a collection of digital media to the Internet using a picture management software. Regarding Claim 2, Narayen et al. discloses step 247 (in FIG. 6A), allowing a user to enter caption or title ("Adding text or other annotation") to each image ("media object") before sending the image to the server computer system 701 ("second location") for publishing.

Regarding Claim 5, Narayen et al. discloses a layout and style window 1301 (in FIG. 13), allowing a user to change the layout of the current page containing multiple pictures (images) or the layout of the entire album containing multiple pages containing multiple pictures. Changing the layout of a page (containing multiple pictures) would constitute processing or changing the location or "changing the orientation" (Claim 2, Line13) of "more than one media object" "simultaneously" (Claim 5, line 1-2).

Regarding Claim 6, Narayen et al. discloses a signature generator and comparator 641 (in FIG. 10) that creates a signature ("media object identifier") for each



Application/Control Number: 09/357,836

**Art Unit: 2173** 

picture in the picture album. Therefore a picture album containing multiple pictures would constitute the generation of multiple signatures ("media object identifiers").

Regarding Claims 1, 3, and 4, Narayen et al.'s disclosure is very similar in that Narayen et al. teaches step 225 in which images ("media object") are acquired ("transporting") from a file storage device such as a hard disk ("first location") and stored in the picture management software system. The picture management system creates a signature for each image acquired, thereby "associating the media object with" a "media object identifier". An album or collection of images is also created using the picture management system. Then in step 227, the picture management system transmits the album format data and signatures to the computer server system 701 ("second location") for publishing. However, Narayen et al. does not explicitly disclose whether the picture management system (used to acquire the images) is a web page (as recited in Claim 1) or not. Furthermore Narayen et al. does not disclose methods for associating the image (on a file storage device such as a hard disk) to its signature in the picture management system via "dragging" the image to the Web page (as recited in Claim 3) and associating the image via "browsing and selecting files on the first location" (as recited in Claim 4). But as described in the Help file (page 9, Inserting an Image section) of Netscape Communication Corp.'s Netscape Communicator 4.75 software (Netscape Composer component), an image can be inserted via dragging and dropping (as recited in Claim 3) the image into Netscape Composer (which corresponds to the recited "Web page" in Claim 1, since Netscape Composer is a component of Communicator, a web browser). The Inserting an Image section of the Help file also



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

