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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/013,301	07/21/2014	6549130		1082

7590 05/22/2015

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EXAMINER	
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ART UNIT	PAPER NUMBER
3992	

MAIL DATE	DELIVERY MODE
05/22/2015	PAPER

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

The time period for reply, if any, is set in the attached communication.

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EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. *90/013,301*.

PATENT NO. *6549130*.

ART UNIT *3992*.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

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EX PARTE REEXAMINATION

FINAL OFFICE ACTION

Pertinent Prosecution History

A request for *ex parte* reexamination of the patent number 6,549,130 ("130 Patent") was filed by a third party requester ("Requester") on July 21, 2014, assigned control number 90/013,301 (" '301 Request").

In response to the '301 Request, the Office mailed an "Order Granting Reexamination Request" on September 17, 2014 ("2014 '130 Order"). In the 2014 '130 Order, the Office indicated that claim 48 was subject to the instant reexamination.

A non-final office action ("2015 Non-Final Office Action") followed the 2014 '130 Order after two-month waiting period for the Patent Owner's statement under 35 USC 304.

Expired Patent

The Patent Owner is reminded that because the '130 Patent which is being reexamined is expired, amendments to the claims, except cancellation of the claims, are not allowed.

Status of the Claims

Claim 48 is pending for consideration.

Prior Art

Claim 48 of the '130 Patent is reexamined based on the following references:

U.S. Patent 5,070,320 to Ramono ("Ramono").

U.S. Patent 5,113,427 to Ryoichi et al.("Ryoichi").

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U.S. Patent 5,276,728 to Pagliaroli et al. ("Pagliaroli").

U.S. Patent 5,081,667 to Drori et al. ("Drori").

U.S. Patent 5,103,221 to Memmola. ("Memmola").

Statutes

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

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reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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 through 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.

Claim Rejections and Comments

Issue 1:

Claim 48 is rejected under 35 USC 102(b) as being anticipated by Ramono.

The rejection below is the same as the proposed rejection by the Requester at pages 14-18 in the request for reexamination and at pages A1-A3 in the Appendix submitted with the request for reexamination which are incorporated herein by reference.

A control apparatus (Ramono discloses "[i]n addition, my invention contemplates the use of coded radio frequency signals, such as conventionally used in residential garage door openers for examples.., to control activation/deactivation of a distress alarm in a moving vehicle." Col. 2, lines 8-15), **comprising**:

(Ramono discloses the use of a chain of three control devices, *e.g.,* a vehicle alarm system (a first control device located at a vehicle), a fixed area alarm unit 14 (a second

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