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EXAMINER

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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. 90/013,302.

PATENT NO. 6,542,076 B1 E.

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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The present application is being examined under the pre-AIA first to invent provisions.

DETAILED ACTION

Introduction

1. This Office Action addresses the *ex parte* reexamination of claim 3 of U.S. Patent No. 6,542,076 (hereinafter also referred to as '076) issued to Joao for which a Substantial New Question of Patentability has been deemed to exist. The status of the claims is as follows:

Claim 3 is rejected.

Patents, Non-Patent Literature, Other Evidence

Patents

-U.S. Patent 5,070,320 to Ramono, filed June 12, 1989 and issued December 3, 1991 (hereinafter also referred to as '320 or Ramono '320).

-U.S. Patent 5,113,427 to Ryoichi et al, filed August 24, 1990 and issued May 12, 1992 (hereinafter also referred to as '427 or Ryoichi '427).

-U.S. Patent 5,276,728 to Pagliaroli et al, filed November 6, 1991 and issued January 4, 1994 (hereinafter also referred to as '728 or Pagliaroli '728).

-U.S. Patent 5,081,667 to Drori et al, filed March 20, 1990 and issued January 14, 1992 (hereinafter also referred to as '667 or Drori '667).

-U.S. Patent 5,103,221 to Memmola, filed December 5, 1989 and issued April 7, 1992 (hereinafter also referred to as '221 or Memmola '221).

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Claim Rejections

Claim Interpretation/Analysis:

As set forth in the 9/8/2014 Order and on page 14 of the Request, the '076 patent has expired. Therefore, see again page 9 of the Request as well as MPEP 2258, “[i]n a reexamination proceeding involving claims of an expired patent, claim construction pursuant to the principle set forth by the court in *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316, 75 USPQ2d 1321, 1329 (Fed. Cir. 2005) (words of a claim ‘are generally given their ordinary and customary meaning’ as understood by a person of ordinary skill in the art in question at the time of the invention) should be applied since the expired claim are not subject to amendment. See *Ex parte Papst-Motoren*, 1 USPQ2d 1655 (Bd. Pat. App. & Inter. 1986).

Furthermore, “means-plus function” language of a claim if meeting the 3-prong analysis set forth in MPEP 2181, I, “shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof”, see MPEP 2181, II. As also set forth in 2181, II, “If one employs means plus function language in a claim, one must set forth in the specification an adequate disclosure showing what is meant by that language”, i.e. sets forth the structure, materials, or acts corresponding to a means- (or step-) plus-function.

Specifically:

...examiners will apply 35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph to a claim limitation if it meets the following 3-prong analysis:

(A) the claim limitation uses the term “means” or “step” or a term used as a substitute for “means” that is a generic placeholder (also called a nonce term or a non-structural term having no specific structural meaning) for performing the claimed function;

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(B) the term “means” or “step” or the generic placeholder is modified by functional language, typically, but not always linked by the transition word “for” (e.g., “means for”) or another linking word or phrase, such as "configured to" or "so that"; and

(C) the term “means” or “step” or the generic placeholder is not modified by sufficient structure, material, or acts for performing the claimed function.

The language of claim 3 (e.g., “a first control device...at least one of generates a first signal and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling, [sic] at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, [sic] of a vehicle”, “wherein the first control device at least one of generates the first signal and transmits the first signal in response to a second signal, wherein the second signal is at least one of generated by a second control device and transmitted from a second control device,” “and further wherein the second control device at least one of generates the second signal and transmits the second signal in response to a third signal, wherein the third signal is at least one of generated by a third control device and transmitted from a third control device,...” does not meet the analysis and is not deemed to invoke 35 USC 112, sixth paragraph.

'076 Patent

See '076 at, e.g., Figures 1 and 9, elements 2, 3, 4, 15, 16, col. 21, line 7-col. 25, line 39 (i.e. “FIG. 1 illustrates a block diagram of the apparatus which is the subject of the present invention and which is denoted generally by the reference numeral 1. As illustrated in FIG. 1, the apparatus 1 includes a transmitter system 2, for transmitting an electrical, an electronic, an electromagnetic or other suitable signal, upon an activation by a motor vehicle owner or

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authorized user or operator, hereinafter referred to collectively as the “authorized user or operator”. While the foregoing description of the preferred embodiment is directed to a motor vehicle and, in particular, to an automobile, the term “motor vehicle” includes, but is not limited to, automobiles, trucks, buses, school buses, trains, subway trains, mass transportation vehicles, tractor trailers, construction equipment, equipment, mobile structures, mobile and/or moveable industrial and/or commercial and/or equipment, structures and/or work platforms, mining equipment, drilling equipment, drilling platforms, farm equipment, commercial vehicles, recreational vehicles, motorcycles, recreational vehicles, motor and/or mobile homes, etc. Any of the above noted vehicles may be manned and/or unmanned and may also include law enforcement and/or military vehicles and/or equipment. The present invention may also be utilized in marine vehicles and/or vessels, boats, ships, aircraft, airplanes, jets, submersible and/or underwater vehicles and/or vessels, space vehicles and/or vessels and satellites, all of which may be manned and/or unmanned. The present invention may also be employed in conjunction with gasoline, diesel, alternate fuel and/or electrically powered and/or propelled vehicles. In the preferred embodiment, the transmitter system 2 consists of a user interface device 2A and a transmitting device or transmitter 2B. The transmitter 2 also has a receiver 2C for receiving signals as will be described below. In this regard, the transmitter/receiver combination may also be implemented by utilizing a transceiver. The user interface device 2A provides the means by which the authorized user or operator may access or activate the apparatus 1, as well as the means by which the authorized user or operator may enter access and/or command codes into the transmitter system 2. The transmitter 2B transmits a signal, in response to the authorized user or operator accessing or activating the apparatus 1...The transmitter

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system 2 is a remote system, which is not physically connected to the remainder of the apparatus

1. Further, the transmitter system 2, in the preferred embodiment, is not located in the motor vehicle, but rather, is located external from, and separate and apart from, the motor vehicle. In the preferred embodiment, the transmitter system 2 or transceiver, is designed to be capable of transmitting signals over long distances, i.e. tens, hundreds, and/or thousands of miles or farther.

The transmitter system 2 or transceiver, in the preferred embodiment, is also capable of transmitting a multitude of signals. As will be described below, this capability to transmit a multitude of signals allows for the transmission of a variety of command codes, and of multiple command codes, to the apparatus 1, which in turn, provides for an apparatus which may provide for a multitude of responses in the control and operation thereof. In the preferred embodiment, the transmitter system 2 or transceiver is a touch tone telephone which may be a line-connected telephone, a cordless telephone and/or a cellular or mobile telephone. As described hereinafter, the transmitter system 2 may also be a home and/or a personal computer, having associated telecommunication devices or other suitable peripheral device(s) such as a modem and/or a fax/modem, or other personal communication device, which can operate over an appropriate telecommunications system, and/or other suitable communications systems, including radio signal, optical, satellite and/or other communications systems. The communications system utilized may operate anywhere in the electromagnetic and/or radio spectrum. In this regard, personal communication service (PCS) systems and devices, including stationary, portable and/or hand-held devices, may also be utilized. Digital signal communications devices and systems may also be utilized. Interactive and/or digital televisions, personal communication devices, personal communication services (PCS) devices, personal digital assistants, cellular

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telephones, display telephones, video telephones, display cellular telephones and electronically equipped watches and/or other devices and/or effects or accessories may also be utilized for user interactive and/or display or output applications and/or functions...Referring once again to FIG. 1, the apparatus 1 also includes a receiver 3, for receiving the signals which are transmitted by the transmitter system 2. The receiver 3 may be any receiver which is capable of receiving the remote electrical, electronic, electromagnetic, and/or other signals, which may be transmitted by the transmitter system 2. In the preferred embodiment, the receiver 3 is also capable of receiving any of a wide variety of signals, and/or multitude of signals, which may be transmitted by the transmitter system 2. The transmitter system 2/receiver 3 combination, of the apparatus 1 is implemented, in the preferred embodiment, by a telephone/telephone beeper or pager system which systems and related techniques are well known in the telecommunications art. In such a telephone/telephone beeper or pager system, the transmitter 2 can be any touch-tone telephone which provides a user interface, in the form of the touch-tone keypad or buttons, or the like, for entering a data code or sequence, and which may provide a means by which to transmit a signal, in response to the entered data, to an appropriate receiver device which is typically a telephone beeper or pager which may be serviced by an appropriate communications system or service...In this regard, in the preferred embodiment, the receiver 3 is provided with its own transmitter 3A, or the communication system or service which services the receiver 3 may provide a transmitter (not shown) as may be the case with certain pager systems, such as and including two-way pager systems, for transmitting signals back to the transmitter system 2. The receiver 3/transmitter 3A combination, in appropriate cases, may be replaced with and/or implemented by a transceiver. The receiver 3 and/or receiver 3/transmitter 3A combination or transceiver may also be a cellular

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and/or mobile telephone which can receive and transmit signals at and from a mobile location. It should be noted that the telephone/telephone beeper or pager system, including two-way pager systems, may be replaced with any other type of transmitter/receiver combination, electronic or otherwise, which provides for the transmission and reception of a multitude of remote electrical, electronic, electromagnetic, and/or other suitable signals, over long distances and/or in a mobile and/or a wireless communications environment. As noted above, a personal computer system which may be adapted to such operation, or a personal communication device(s) or personal communication services (PCS) device(s) may also be utilized for, or in, any of the transmitter/receiver system combinations described herein. Two way pagers may also be utilized for any, or in any, of the transmitter/receiver system combinations described herein. In the preferred embodiment, upon receiving the signal, the receiver 3, generates a distinct signal which may be a digital, an electrical, an electronic and/or an electromagnetic or other suitable signal, which signal is indicative of the signal transmitted from the transmitter 2B of the transmitter system 2 and received by the receiver 3. At least a portion of the signal transmitted from the transmitter system 2 to the receiver 3 may include a valid access code, which accesses the receiver 3, and the apparatus 1, which access code serves to provide for security measures which may be taken in conjunction with the use of the apparatus 1. The apparatus 1 also includes a controller or a CPU 4 (CPU) 4, which is electrically connected with the receiver 3 and transmitter 3A and which receives, or reads, whichever the case may be, the digital signal or signals, or portions thereof, which are received by the receiver 3 and/or generated by the receiver 3 in response to the received signal. The CPU 4 may be any type of digital processing device. In the preferred embodiment, the CPU 4 is implemented by a microprocessor. The use of a

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microprocessor as the CPU 4 provides for versatility in apparatus programmability, as well as facilitates an apparatus which can be made as small in size as possible. The CPU 4 may also be implemented by a micro-computer, a mini-computer, or any other digital computer device or system, along with the requisite associated memory devices and other necessary and/or selected peripheral devices. The functions of the CPU 4 may also be performed by appropriately integrating the apparatus 1 with the electronic command computer of the vehicle. It should be noted that the provision of an apparatus 1, which is as small in size as possible, allows for an apparatus which may be more easily installed and concealed in the vehicle, so as to prevent its being located and defeated by a car thief. It is also envisioned that the apparatus 1 may be installed in the motor vehicle during the vehicle's manufacture and/or assembly process so as to insure that it will not be easily detectable or accessible by a car thief. The more cancelable the apparatus, the less likelihood that it could be located and defeated. It is envisioned that the apparatus 1 and any associated circuitry and/or wiring, may be designed into the motor vehicle so as to be inaccessible to a thief....The CPU 4 is electrically connected and/or linked to the motor vehicle ignition system 7, which is located externally from the apparatus 1. ...In the preferred embodiment, the CPU 4 is also electrically connected and/or linked to the motor vehicle fuel pump system 9 which is also located externally from the apparatus 1....The CPU 4, in the preferred embodiment, is also electrically connected and/or linked to at least one or more of a vehicle equipment system or systems 11...The vehicle equipment system or systems 11 may include a loud siren or alarm, which may be located in the passenger compartment of the motor vehicle and, which may produce a loud piercing sound so as to make it unbearable for an intruder to remain inside the motor vehicle passenger compartment. The vehicle equipment system 11

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may also include an external siren or alarm, which may produce a loud piercing sound, which may be utilized to draw attention to the motor vehicle. The vehicle equipment system 11 may also include a horn, which may blare continuously or intermittently, so as to also draw attention to the motor vehicle. The vehicle equipment system(s) 11 may also include the vehicle external light systems(s), which may include the vehicle head lights, tail lights or flashers, which may be constantly illuminated or which may blink on and off repeatedly so as to draw attention to the motor vehicle.”), col. 31, lines 35-39 (i.e. “The vehicle equipment system or systems 11 receives signals from the CPU 4, which signals serve to activate or de-activate, or vice versa, whichever the case may be, the respective vehicle equipment system(s) 11 which are utilized in conjunction with the apparatus 1.”), col. 32, lines 8-18 (i.e. “While the preferred embodiment, as illustrated in FIG. 1, describes certain connections between various components and/or devices of the apparatus as being made by a direct and/or a wired electrical connection, it is noted that any direct and/or wired electrical connection(s) between any of the components and/or devices described herein, may be replaced with wireless devices, wireless communication devices, equipment, links and/or linkups, along with their respective and associated technologies and/or devices, which wireless devices and technologies are known and the teachings of which are incorporated by reference herein.”), col. 36, lines 27-61 (i.e. “Upon the occurrence, or the discovery thereof, of the theft of a motor vehicle, or simply to monitor vehicle status or location, the authorized user or operator of the vehicle may activate the apparatus 1 by entering an access code into the transmitter interface 2A which, as noted above, may be a touch tone telephone keypad. The entry of a valid access code will activate a signal transmission from the transmitting device 2B in a manner similar to that of making a telephone call. In the preferred embodiment,

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the above sequence of events may occur by the authorized user or operator simply utilizing a touch-tone telephone, which may be a public pay telephone, a private telephone, a line telephone, a cordless or wireless telephone, or a cellular or mobile telephone, and by entering in the pre-determined access code which is assigned to the particular apparatus 1. In the case of a touch-tone telephone/telephone beeper or pager system, wherein the beeper or pager is the receiver 3 in the apparatus 1, this access code would typically be a code which would comprise a given telephone area code and telephone number assigned to, or programmed for, the beeper or pager (receiver 3). Upon receiving the transmitted signal, the receiver 3, or beeper or pager, or the communication system servicing the beeper or pager, will typically generate, via transmitter 3A or by another appropriate device, which may or may not be an integral part of the receiver 3, a signal, electrical or otherwise, which is indicative of the receiver 3 having received the signal from the transmitter 2 and which further indicates that the receiver 3 has been accessed. In the case of a communication system or service which services the beeper or pager, the transmitter 3A may be located externally from the apparatus 1 and may be linked to the receiver 3 via the communication link which services the receiver 3 (i.e., the beeper or pager communications service system.”), col. 37, lines 12-44 (i.e. “...the authorized user or operator may enter the desired command code data or command code, which may include a vehicle disable command code, a vehicle re-enable or reset command code, a cancel code, or any other suitable command code by which the authorized user or operator may exercise control over the apparatus 1. The authorized user or operator may then enter the code or number sequence into the transmitter interface 2A or, in this case, the telephone keypad....In a case when the motor vehicle has been stolen, the command code may be a vehicle disable command code. It should also be noted that a

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vehicle re-enable or reset command code, or any other suitable command code, which would represent a function or operation to be performed by the apparatus 1, may also be entered, as the circumstances may require, at this time. The command code is then transmitted from the transmitting device 2B of the transmitter system 2 and is received by the receiver 3 or beeper or pager....The command code data is then transmitted to, or read by, the CPU 4 for command code identification and for further processing, if necessary.”), col. 38, lines 7-40 (i.e. “The apparatus 1 may also be equipped with an alternate and/or an auxiliary transmitter device(s), such as a remote control unit or home and/or personal computer system, which could be employed in addition to a telephone. In this manner, if the authorized user or operator should leave the remote control unit in the vehicle, or should lose it, the apparatus 1 may still be accessed by the authorized user or operator. Still further, some telephone/telephone beeper or pager systems, wireless telephones, and/or wireless communication devices, may have effective distance ranges on the order of hundreds or thousands of miles which may be economical and reliable for long range signal transmission....The data entered into, and transmitted from, the transmitter system 2, and received by the receiver 3, will then be transmitted to, or read by, the CPU 4 for command code identification and for subsequent processing, if necessary.”), and col. 50, line 57-col. 52, line 28 (i.e. “FIG. 9 illustrates another preferred embodiment of the present invention, wherein an arming device 15 and an activation device 16 are utilized in conjunction with the components of the apparatus 1 of FIG. 1. In FIG. 9, the arming device 15 is utilized to arm, activate, or access the apparatus 1 and provides a means by which to access the apparatus 1 separate and apart from the transmitter 2/receiver 3 combination. The arming device 15 may be a remote transmitter such as those utilized in conjunction with anti-theft devices or systems and/or alarm systems....As

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with any of the above devices and/or components, the arming device(s) may be directly connected to the CPU 4 or may be linked to the CPU 4 via a wireless communication link or medium. It is also envisioned that, with a suitable arming device 15, such as a keypad or other device for data input, the authorized user or operator may arm the apparatus 1 with a desired command code. In this manner, a programmable arming device may be utilized wherein apparatus operation, under the command of any of the variety of possible command codes, can be made automatic and/or programmable. An automatic activation may also be performed by an appropriate code being transmitted to the apparatus 1 via the transmitter 2 or transceiver. The activation device 16 is chosen to correspond with the arming device 15. In this regard, the activation device 16 may be ...connected to the CPU 4 via a wireless communication link or medium....The command code may be pre-programmed as a default code and/or may be operator selected and programmed in any manner described above for user or operator entry of such a code. In this regard, if an unauthorized user or operator fails to properly activate the activation device 16, within the predetermined time period, the CPU 4 will recognize such failure as that which results from an unauthorized use or operation of the vehicle. In the above-described manner, the embodiment of FIG. 9 provides a mechanism by which the apparatus 1, may be activated automatically or self-activated....It is also important to note that the arming device 15/activation device 16 may be utilized to activate the apparatus 1 and/or any one or more of the vehicle systems, including the ignition system 7, the fuel pump system 9, any one or more of the various vehicle equipment systems 11 which are utilized in conjunction with the apparatus 1, and/or the vehicle position and locating device 13. In this regard, the arming device 15 and the activation device 16 provide a mechanism by which to automatically activate the apparatus 1

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along with any other anti-theft system utilized in the vehicle which may be controlled by the apparatus 1. The vehicle position and locating device 13 may also be activated by an automatic activation of the apparatus 1. It is also possible to program the apparatus 1 with a command code so that the apparatus will be programmed to become activated, or de-activated, automatically, such as upon the occurrence, or lack thereof, of a pre-defined event or occurrence and/or at any desired time....”).

Claim Rejections-35 USC §102

The following is a quotation of the appropriate paragraphs of pre-AIA 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.

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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 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)).

2. Claim 3 is rejected under 35 USC 102(b) as being anticipated by Ramono.

The reference to Ramono includes an issue/publication date more than one year prior to June 8, 1993, i.e. the filing date of the earliest application 08/073,755, from which benefit was claimed by the patent ('076) requested for reexamination, and thus, is available as prior art under 35 USC 102(b) and 35 USC 103. It is noted that Ramono has not been applied in a rejection against the claims nor explicitly discussed anytime during the prosecution history of the '365 application of the '076 patent, see pages 5-27 of the 9/8/2014 Order,

With regard to Ramono '320, the rejection below is the same as the proposed rejection by the Requester at pages 16-20 in the 7/21/2014 request for reexamination, hereinafter also referred to as the Request, and at pages A1-A3 in the Appendix submitted with such request for reexamination which are incorporated herein by reference.

A control apparatus comprising:

(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

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examples...to control activation/deactivation of a distress alarm in a moving vehicle.” Col. 2, lines 8-15. “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 control device located remote from the vehicle), and a remote alarm initiator 12 (a third control device located remote from the second control device and remote from the vehicle), sending control signals from one device to the next, culminating in the activation (or deactivation) of a vehicle system, *e.g.*, initiating an alarm, flashing exterior lights, resetting the alarm, etc.” Request, pages 16-17.)

a first control device, wherein the first control device at least one of generates a first signal and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling,[sic] at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, of a vehicle, [sic] wherein the first control device is located at the vehicle,

(Fig. 8 of Ramono “discloses a vehicle alarm unit” which functions as a first control device. Request, page 17. Ramono discloses “[t]he vehicle alarm unit, as shown in FIG. 8, is intended to be installed in any vehicle such that when the corresponding remote alarm initiator unit initiates an alarm to a fixed area alarm unit within range of the automobile, the fixed area alarm unit can signal the vehicle unit to signal, for example by flashing the exterior vehicle lights, until reset. The fixed area alarm unit can reset the vehicle alarm unit after a time delay, such as 15 minutes for example, which should be sufficient time for security or police to arrive on the scene.” Col. 10, line 67 - col. 11, line 8. Ramono further discloses “[a]n actuating signal received by an antenna 152 is demodulated by a receiver 154. The demodulated signal is interpreted by decode modules 156 and 158. The alarm trigger decode module 156 compares the

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coded transmission to the code set in a code select module 160. If it is a valid alarm code, decode module 156 energizes a relay coil 162 to cause normally open contact 164 to close and supply the power to the vehicle horn or a siren 166...” Col. 11, line 48 to 56. Ramono also discloses “[i]f a fixed area alarm unit 14 receives a signal from a remote alarm initiator 12, and shortly thereafter receives a properly coded alarm signal from the same, it can be operative to transmit a signal that will be received by a vehicle alarm system.” Col. 10, lines 4 to 8).

wherein the first control device at least one of generates the first signal and transmits the first signal in response to a second signal, wherein the second signal is at least one of generated by a second control device and transmitted from a second control device, wherein the second control device is located at a location which is remote from the vehicle, wherein the second signal is transmitted from the second control device to the first control device, wherein the second signal is automatically received by the first control device, and further wherein the second control device at least one of generates the second signal and transmits the second signal in response to a third signal,

(Ramono discloses fixed area alarm 14 which functions as a second control device.

Request, page 18. Figure 1 shows “[f]ixed area alarm 14 may be mounted to existing utility poles or other elevated structures.” Col. 4, lines 13 to 14. Ramono further discloses “[i]f a fixed area alarm unit 14 receives a signal from a remote alarm initiator 12, and shortly thereafter receives a properly coded alarm signal from the same, it can be operative to transmit a signal that will be received by a vehicle alarm system.” Col. 10, lines 4 to 8. Ramono also discloses “[t]he fixed area alarm of FIG. 7 includes a jumper 136 by which the vehicle alarm feature is activated. When the modified fixed area alarm unit receives a signal from a remote alarm initiator 12, timer 134 will cause a limited duration retransmission of a signal back to the remote alarm initiator for code identification as above described. However, the code identification signal is also fed to a

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logic/timer module 138. If a valid alarm code is received from the remote initiator 12 immediately after this code identification check, the logic/timer 138 will cause encoder 108 to encode a signal from code selection module 126, which signal is then fed to transmitter 128 for transmission of the preset code via antenna 130. This transmission will consist of short time duration coded bursts every few seconds, which are transmitted to any auto alarm system in the reception area while still allowing other fixed alarm systems to sense additional alarm initiations.” Col. 10, lines 9-26.).

wherein the third signal is at least one of generated by a third control device and transmitted from a third control device, wherein the third control device is located at a location which is remote from the vehicle and remote from the second control device, wherein the third signal is transmitted from the third control device to the second control device, and further wherein the third signal is automatically received by the second control device.

(Ramono discloses a portable alarm unit 12 located remote from the vehicle and the fixed area alarm unit which functions as the third control device. Request, page 18. Ramono teaches “[a] coded signal is sent from the portable alarm unit 12 that is located remote from the vehicle (the third control device) to a fixed area alarm unit that is also located remote from the vehicle (the second control device), to a vehicle alarm unit that is installed in a vehicle (the first control device) which is used, e.g., to activate the vehicle alarm. *See, e.g.*, col. 10, lines 4-8 (‘If a fixed area alarm unit 14 receives a signal from a remote alarm initiator 12, and shortly thereafter receives a properly coded alarm signal from the same, it can be operate to transmit a signal that will be received by a vehicle alarm system’).” Request, page 19. Ramono discloses “[a] portable remote alarm initiator unit 12 is operable outside the dwelling or facility 11, such as by a person

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walking along a street, visiting in the neighborhood, engaging in yard work or gardening, and the like. Remote initiator 12 preferably is a small, battery powered, hand-held radio transmitter and receiver unit that transmits and receives signals on assigned frequencies. Each remote initiator 12 is individually set to transmit and receive assigned codes. It offers protection for individuals while outside the dwelling or facility 11 by permitting transmission of an alarm code for a pre-set time period directly to a fixed area alarm 14.” Col. 3, lines 27-38, Figure 1.).

3. Claim 3 is rejected under 35 USC 102(b) as being anticipated by Ryoichi et al.

The reference to Ryoichi et al includes an issue/publication date more than one year prior to June 8, 1993, i.e. the filing date of the earliest application 08/073,755, from which benefit was claimed by the patent (‘076) requested for reexamination, and thus, are available as prior art under 35 USC 102(b) and 35 USC 103. It is noted that Ryoichi et al has not been applied in a rejection against the claims nor explicitly discussed in either the ‘365 application of the ‘076 patent nor its parent ‘935 application of the ‘130 patent, , see pages 5-27 of the 9/8/2014 Order,

The rejection below is the same as the proposed rejection by the Requester at pages 26-30 of the 7/21/2014 request for reexamination and at pages A9-A13 in the Appendix submitted with such request for reexamination which are incorporated herein by reference.

A control apparatus, comprising:

((Ryoichi discloses “The vehicle device control system allows the vehicle device to be remotely controlled through a simple and low-cost arrangement, making it possible for a vehicle

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radio telephone unit with no reception capability to receive and transmit a signal.” Abstract.

“Ryoichi discloses the use of a chain of three control devices, *e.g.*, a personal radio paging unit 9 (a first control device located at a vehicle), a fixed radio station St (a second control device located remote from the vehicle), and a telephone unit TEL (a third control device located remote from the second control device and remote from the vehicle), sending control signals from one device to the next, culminating in the activation (or deactivation) of a vehicle system, *e.g.*, unlocking the doors.” Request, pages 26-27.)

a first control device, wherein the first control device at least one of generates a first signal and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling, [sic] at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, of a vehicle, [sic] wherein the first control device is located at the vehicle,

(Ryoichi discloses “[a] radio-signal-responsive vehicle device control system including a receiver unit (9, 41, 74, 100) for receiving a radio signal generated based on a signal transmitted from a calling telephone unit and for generating a detectable signal based on the received radio signal, receiver unit storage structure (8, 91, 102) mounted in a motor vehicle for storing the receiver unit, a detector (D, 42, 73) for producing a detected signal in response to detection of the detectable signal from the receiver unit, a control unit (S, S’, 43, 60) responsive to the detected signal from the detector for producing a control signal based on at least the detectable signal, and an actuator (A, F, 52, 56, 46, 68, 75, 517A) for controlling at least one device in the motor vehicle based on the control signal from the control unit.” Abstract. Ryoichi further discloses “[t]he personal radio paging unit 9 which is employed as a receiver unit in this embodiment generates a calling sound and a message sound when it receives a radio calling

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signal and a signal such as a message signal following the radio calling signal. More specifically, when the personal radio paging unit 9 receives a radio calling signal and a following message signal, it generates a calling sound and a message sound as signals which can be detected by a detector means comprising a sensor 10 and a code converter 11.” Col. 5, lines 16 to 25. Also Ryoichi discloses “[w]hen the sensor 10 detects a calling sound given off from the personal radio paging unit 9, the sensor 10 issues a signal to turn on the code converter 11 and a control unit S serving as a control means, as shown in FIG. 1.” Col. 5, lines 32 to 36. Ryoichi further discloses “[i]n response to the calling number, the personal radio paging unit 9 generates a calling sound which is detected by the sensor 10. The sensor 10 then issues an output signal to turn on the power supply of the code converter 11 and the control unit S. Then, the personal radio paging unit 9 generates a sound corresponding to the message signal ‘000’ which is subsequently received. The sensor 10 detects this sound and converts it into an electric signal, and then transmits the electric signal to the code converter 11. The code converter 11 converts the electric signal, representing ‘000’ (decimal notation) into a prescribed operating electric signal, i.e., a four-digit binary digital code signal ‘0000’. The code signal ‘0000’ is then sent to the control unit S, which then selects and executes a program corresponding to the code signal ‘0000’, i.e., the control program P0 stored in the memory M. As described above, the control program P0 is a program for operating the handbrake under remote control, and is executed to remotely control the handbrake when the driver forgot to pull the handbrake lever 14 or is not certain if he applied the handbrake.” Col. 8, lines 1 to 22. Ryoichi discloses “[a]s shown in FIGS. 2 and 3, a motor vehicle or automobile 1 has an engine E, a battery B, and headlights L. The automobile 1 also has a door 2 with a receiver insertion slot 4 defined therein behind a door handle 3 mounted on

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the outer panel of the door 2. The receiver insertion slot 4 is connected to a guide passage 5 defined in the door 2. The guide passage 5 includes an outer guide passageway 5a and an inner guide passageway 5b between which there is defined a slit 7 for passage of a window glass panel 6 therethrough. The inner guide passageway 5b is connected to a storage box 8 disposed as a receiver storage means on the inner panel of the door 2 which is normally disposed in the passenger compartment of the automobile 1. The storage box 8 is angularly movably mounted on the inner panel of the door 2 by means of a hinge 8a. A personal radio paging unit 9 can easily be taken into and out of the storage box 8 by a person in the passenger compartment. When the window panel 6 is lowered into the slit 7, the guide passage 5 is closed by the window glass panel 6. When the window glass panel 6 is lifted, the personal radio paging unit 9 which is inserted from outside through the receiver insertion slot 4 is slid through the guide passage 5 into the storage box 8. Since the slit 7 is of a small width, the inserted personal radio paging unit 9 is smoothly guided through the guide passage 5 without dropping into the slit 7.” Col. 4, line 57 to col. 5, line 15. See Figure 1. Also see the remainder of col. 5, line 6 to col. 6, line 9 and Figures 2-3 and 5-7.)

wherein the first control device at least one of generates the first signal and transmits the first signal in response to a second signal, wherein the second signal is at least one of generated by a second control device and transmitted from a second control device, wherein the second control device is located at a location which is remote from the vehicle, wherein the second signal is transmitted from the second control device to the first control device, wherein the second signal is automatically received by the first control device, and further wherein the second control device at least one of generates the second signal and transmits the second signal in response to a third signal,

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(Ryoichi discloses “[t]he personal radio paging unit 9 which is employed as a receiver unit in this embodiment generates a calling sound and a message sound when it receives a radio calling signal and a signal such as a message signal following the radio calling signal. More specifically, when the personal radio paging unit 9 receives a radio calling signal and a following message signal, it generates a calling sound and a message sound as signals which can be detected by a detector means comprising a sensor 10 and a code converter 11.” Col. 5, lines 16 to 25. Ryoichi also discloses “[a] radio wave indicating these calling and message numbers is automatically radiated from a fixed radio station St of a telephone company, and the personal radio paging unit 9 receives the calling number and the following message number ‘000’ ” Col. 7, line 64 to col. 8, line 1 and Figure 1.)

wherein the third signal is at least one of generated by a third control device and transmitted from a third control device, wherein the third control device is located at a location which is remote from the vehicle and remote from the second control device, wherein the third signal is transmitted from the third control device to the second control device, and further wherein the third signal is automatically received by the second control device.

(Ryoichi discloses “[a] calling number is dialed by the pushbuttons of a general wire telephone unit TEL (FIG. 1), and those pushbuttons which represent a code number, e.g., ‘000’ (decimal notation) corresponding to a desired message signal are pushed. A radio wave indicating these calling and message numbers is automatically radiated from a fixed radio station St of a telephone company, and the personal radio paging unit 9 receives the calling number and the following message number ‘000’.” Col. 7, line 60 to col. 8, line 1 and Figure 1.)

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4. Claim 3 is rejected under 35 USC 102(e) as being anticipated by Pagliaroli et al.

The reference to Pagliaroli et al includes a filing date prior to June 8, 1993, i.e. the filing date of the earliest application 08/073,755 from which benefit was claimed by the patent ('076) requested for reexamination, and thus, are available as prior art under 35 USC 102 (a), 102(e) and 35 USC 103. It is noted that Pagliaroli et al has not been applied in a rejection against the claims nor explicitly discussed in either the '365 application of the '076 patent nor its parent '935 application of the '130 patent, see pages 5-27 of the 9/8/2014 Order.

The rejection below is the same as the proposed rejection by the Requester at pages 31-35 in the 7/21/2014 request for reexamination and at pages A14-A19 in the Appendix submitted with such request for reexamination which are incorporated herein by reference.

A control apparatus, comprising:

(Pagliaroli discloses "[t]he present invention relates to remotely operated system for disabling an automobile, and more particularly to such systems that allow either the owner of a vehicle or the police to selectively disable a vehicle after it has been stolen or otherwise misappropriated." Col. 1, lines 6 to 10. "Pagliaroli discloses the use of a chain of three control devices, *e.g.*, a control unit 16 (a first control device located at the vehicle), a mobile telephone signal transmitter 46 (a second control device located remote from the vehicle), and a telephone 48 (a third control device located remote from the second control device and remote from the vehicle), sending control signals from one device to the next, culminating in the activation (or deactivation) of a vehicle system, *e.g.*, disabling the engine." Request, page 31.)

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a first control device, wherein the first control device at least one of generates a first signal and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling, [sic] at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, of a vehicle, [sic] wherein the first control device is located at the vehicle,

(Pagliaroli et al disclose “[w]ith the theft sensors 12 in place, a receiver 14, control unit 16, and a means for accessing the control unit 16, such as a keypad 18, are added to the automobile. The control unit 16 is coupled to either the electrical circuits or the electromechanical components that selectively control the operation of the starter 20, ignition system 22 and emergency lights 24. Optionally, the control unit 16 may also be coupled to an externally visible device such as the lights 26 surrounding the license plate. The controlled activation and deactivation of such electrical circuits and electromechanical components, by a central control unit, is a technology that is well known in the art of automobile anti-theft devices.” Col. 3, lines 50 to 63. Pagliaroli et al further discloses “[r]eferring to FIG. 2, the details of the control unit 16 are shown. The signal code 40 received by the receiver 14 by either the mobile telephone signal transmitter 46 or the police transmitter 50, is forwarded to the control unit 16. Additionally, an input code 54 may be entered through the keypad 18 within the automobile. The control unit 16 reads both the input code 52 from the receiver 14 and the input code 54 from the keypad 18. A memory source 58, such as an integrated memory circuit, is integrally formed as part of the control unit 16. Stored within the memory source 58 is the code for enabling the automobile and a code for disabling the automobile. Both stored codes may be fixed at the time of manufacture or may be programmable utilizing the input variables located on the keypad 18. The control unit 16 recalls the enabling and disabling code from the memory source 58 and compares the recalled codes with input code read from the receiver 14 or the keypad 18. If the input code matches the disabling code,

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disabling signals 60, 62 are sent to the starter 20 and ignition system 22, respectively, stopping the operation of the automobile and preventing the automobile from being restarted.

Simultaneously, a control signal 64 is sent to the emergency lights 24 of the automobile, activating the lights and warning surrounding traffic of the disabled nature of the automobile.

Optionally, a second control signal 68 may be sent to the license plate lights 26, changing the color or flashing the license plate lights 26 so as to identify to passing police that the disabled automobile is stolen.” Col. 5, lines 29 to 58. Pagliaroli et al further disclose “[r]egardless, to the embodiment of the receiver 14 and the antenna 38, the receiver 14 scans the frequency range of mobile telephone transmissions, which is in the range of 900 MHz The signal codes 40 received by the receiver 14 are forwarded to the control unit 16.” Col. 4, lines 40 to 44. See also Figure

1.)

wherein the first control device at least one of generates the first signal and transmits the first signal in response to a second signal, wherein the second signal is at least one of generated by a second control device and transmitted from a second control device, wherein the second control device is located at a location which is remote from the vehicle, wherein the second signal is transmitted from the second control device to the first control device, wherein the second signal is automatically received by the first control device, and further wherein the second control device at least one of generates the second signal and transmits the second signal in response to a third signal,

(Pagliaroli et al disclose “[w]hen the owner of an automobile finds the vehicle stolen, the owner dials the telephone number corresponding to the disabling code of the automobile. The dialed number causes a signal code to be transmitted from the mobile telephone transmitted network, wherein the signal is received by the stolen automobile.” Abstract. Pagliaroli et al disclose “[s]tated in general terms, the present invention includes a receiver that is activated by

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theft detection sensors when the automobile is stolen. Once activated the receiver monitors the signal frequency range currently used to transmit mobile telephone communications. Once the owner of the automobile discovers that the automobile has been stolen, the operator dials a predetermined telephone number corresponding to the receiver. The number is then transmitted from the signal towers of the mobile telephone network in use. The receiver receives the transmitted signal and compares it to a disabling code and an enabling code stored within the receiver.” Col. 2, lines 42 to 54. Pagliaroli et al disclose “[f]irst, the signal code 40 may come from mobile telephone signal transmitter 46 operating in the area of the automobile. Such mobile telephone signal transmitters 46 are now commonplace in populated areas and are easily accessed. Mobile telephone signal transmitters 46 are often parts of larger mobile telephone networks, often called ‘cellular networks’ that transmit signals across thousands of square miles and many encompass several states. A signal code 40 is transmitted to the receiver 14 as if the receiver 14 were a common mobile telephone unit. The transmission of a dialed code to a specific mobile telephone being a well-known technology in the art of telecommunications. To transmit the signal code 40, a person, by using any telephone 48, need only dial the phone number of the receiver 14. The local mobile telephone company would transmit the signal code 40, associated with the telephone number dialed, through its network of mobile telephone signal transmitters 46. If the stolen vehicle were in the range of the mobile telephone transmitter network, the receiver 14 would receive the signal code 40.” Col. 4, line 54 to col. 5, line 7. See also Figure 1.)

wherein the third signal is at least one of generated by a third control device and transmitted from a third control device, wherein the third control device is located at a

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location which is remote from the vehicle and remote from the second control device, wherein the third signal is transmitted from the third control device to the second control device, and further wherein the third signal is automatically received by the second control device.

(Pagliaroli discloses “[f]irst, the signal code 40 may come from mobile telephone signal transmitter 46 operating in the area of the automobile. Such mobile telephone signal transmitters 46 are now commonplace in populated areas and are easily accessed. Mobile telephone signal transmitters 46 are often parts of larger mobile telephone networks, often called ‘cellular networks’ that transmit signals across thousands of square miles and many encompass several states. A signal code 40 is transmitted to the receiver 14 as if the receiver 14 were a common mobile telephone unit. The transmission of a dialed code to a specific mobile telephone being a well-known technology in the art of telecommunications. To transmit the signal code 40, a person, by using any telephone 48, need only dial the phone number of the receiver 14. The local mobile telephone company would transmit the signal code 40, associated with the telephone number dialed, through its network of mobile telephone signal transmitters 46. If the stolen vehicle were in the range of the mobile telephone transmitter network, the receiver 14 would receive the signal code 40.” Col. 4, line 54 to col. 5, line 7. See also Figure 1.)

Other Matters

103 Rejections

The Requester further proposed to reject claim 3 as being obvious under 35 USC 103(a) over (i) Drori in view of Ramono, (ii) Drori in view of Ryoichi, (iii) Drori in view of Pagliaroli,

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(iv) Memmola in view of Ramono, (v) Memmola in view of Ryoichi, (vi) Memmola in view of Pagliaroli.

The references to Drori et al and Memmola include issue/publication dates more than one year prior to June 8, 1993, i.e. the filing date of the earliest application 08/073,755, discussed infra, from which benefit was claimed by the patent ('076) requested for reexamination, and thus, are available as prior art under 35 USC 102(b) and 35 USC 103. These rejections are cumulative to the above rejections and are unnecessary. Thus, they are not adopted.

Copending Reexaminations

Reexamination Control Nos. 90/013,300, 90/013,301 and 90/013,303 are copending *ex parte* reexaminations of related U.S. Patent Nos. 5,917,405, 6,549,130 and 7,253,731, respectively.

Response to Arguments

Response of 04/10/15:

Patent Owner's arguments have been fully considered but they are not persuasive.

Issue 1-pages 6-14:

Patent Owner argues the Ramono reference does not disclose the limitations of the claim 3 including at least "a first control device, wherein the first control device at least one of generates a first signal and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling, at least one of a vehicle system, a vehicle equipment system, a

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vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, of a vehicle, wherein the first control device is located at the vehicle”. Patent Owner further states, “[t]here is no intermediate control device at the vehicle in Ramono and, therefore, there is no recited first control device located at the vehicle, in Ramano, which at least one of generates and transmits a first signal for at least one of activating, de-activating, disabling, and re-enabling, the vehicle alarm unit or system which is a vehicle system, a vehicle component, a vehicle device, a vehicle equipment, a vehicle equipment system, or a vehicle appliance.”

Ramono states “vehicle alarm unit ... is intended to be installed in any vehicle such that when the corresponding remote alarm initiator unit initiates an alarm to a fixed area alarm unit within range of the automobile, the fixed area alarm unit can signal the vehicle unit to signal, for example by flashing the exterior vehicle lights” (Ramono: column 10, line 67 to column 11, line 8), which not only indicates the first control unit, but also the third and second control units. The cited passage discusses a “vehicle alarm unit” (first control device), a “fixed area alarm unit” (second control device, or an intermediate control device), and a “remote alarm unit” (third control device). At least the “exterior vehicle lights” are the claim’s “vehicle component”. Therefore, Patent Owner’s argument is unpersuasive.

Additionally, Patent Owner argues “the vehicle alarm unit or system of Ramono, or any components of same, cannot be and cannot serve as both the ‘first control device’ and the ‘at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance’ of Claim 3.” This argument is also not persuasive. As the preceding paragraph makes clear, one element of Ramono is not being cited for two elements of the claim language. Further, the light 146 of Ramono’s figure 8 is a status

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indicator type light to aid in inspections and tampering determinations (Ramono: column 11, lines 23-33). This is not Ramono's external vehicle lights, upon which the claim's "vehicle component" reads. Finally, the ordinary and customary meaning of the claim terminology is being applied. While claim 5 of the patent indicates the "vehicle component" could be an alarm, it also indicates it could be a light system, which is the interpretation that has been applied. The patent does not offer any definition of "first control device" that precludes an alarm system. Nor does Patent Owner even assert this. Therefore, the cited prior art discloses the first control device and related signals. Again, Patent Owner's arguments are not persuasive.

Issue 2-pages 14-19:

Patent Owner argues the Ryoichi reference does not disclose the limitations of the claim 3 including "at the very least, ...the recited second control device, which is located remote from the vehicle, and the recited second signal of Claim 3 of the '076 Patent." Patent Owner further states, "Ryoichi merely discloses a telephone which transmits a radio signal which, if anything, is merely relayed unchanged to the vehicle by a communication relay system".

It is noted that whether the radio signal is unchanged or not is irrelevant to the claim language, which is silent to changing the transmitted signals. At least Ryoichi's figure 1 shows the second control device (element ST). As explained in the corresponding sections of the specification and the request for reexamination, a user/telephone located remotely from the telephone company's radio station (element ST), which is itself remote from the vehicle, can control the vehicle. Therefore, Patent Owner's argument is unpersuasive.

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Additionally, Patent Owner argues “the fixed radio station St disclosed in Ryoichi is merely a part of, or a component of, a communication network and, therefore, it cannot be and cannot serve as the second control device of Claim 3.” This argument is also not persuasive. The ordinary and customary meaning of the claim terminology is being applied. The patent does not offer any definition of “second control device” that precludes a radio transmission device, such as radio station ST. Patent Owner has only offered vague citations from the instant patent’s specification to an apparatus being used with communications systems, yet those citations do not define what the apparatus is. And the citations do not reference the second control device or its relationship to anything, much less whether it is distinct from communications systems. Indeed, the second control device may be one way in which the “apparatus” is used in conjunction with communications systems and/or Patent Owner’s citations might be support for the second control device being part of the communications systems. Therefore, the cited prior art discloses the second control device and related signals. Again, Patent Owner’s arguments are not persuasive.

Issue 3- pages 19-23:

Patent Owner argues the Pagliaroli reference does not disclose the limitations of the claim 3 including “at the very least, . . . the recited second control device which is located remote from the vehicle and the recited second signal of Claim 3 of the ‘076 Patent.” Patent Owner further states, “Pagliaroli merely discloses a telephone 48 which transmits a signal code 40 which, if anything, is merely relayed unchanged to the control unit 16 of, and located at, the vehicle”. It is noted that whether the signal is unchanged or not is irrelevant to the claim language, which is silent to changing the transmitted signals. As explained in the corresponding

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sections of the specification and the request for reexamination, at least a user/telephone 48 (claimed third control device) located remotely from mobile telephone transmitters 46 (claimed second control device), which is itself remote from the vehicle, can operate the control unit 16 of the vehicle (claimed first control device. Therefore, Patent Owner's argument is unpersuasive.

Additionally, Patent Owner argues "the mobile telephone signal transmitter 46 disclosed in Pagliaroli is merely a part of, or a component of, a communication network and, therefore, it cannot be and cannot serve as the second control device of Claim 3." This argument is also not persuasive. The ordinary and customary meaning of the claim terminology is being applied. The patent does not offer any definition of "second control device" that precludes mobile telephone transmitters 46 or "cellular networks". Patent Owner has only offered vague citations from the instant patent's specification to an apparatus being used with communications systems, yet those citations do not define what the apparatus is. And the citations do not reference the second control device or its relationship to anything, much less whether it is distinct from the communications systems. Indeed, the second control device may be one way in which the "apparatus" is used in conjunction with communications systems and/or Patent Owner's citations might be support for the second control device being part of the communications systems. Therefore, the cited prior art discloses the second control device and related signals. Again, Patent Owner's arguments are not persuasive.

Supplemental Response of 05/15/15:

Patent Owner's arguments have been fully considered but are also not persuasive.

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First, as made clear previously, see 2/12/2015 Office Action, page 2, the ordinary and customary meaning of the claim language is being applied. At no point has a claim construction “broader than the broadest reasonable interpretation” (Patent Owner’s term, pages 2-3) been applied or been indicated as applied.

Second, Patent Owner does not offer an actual definition of “first control device”. Instead, Patent Owner offers non-exhaustive embodiments, instances, and examples, i.e. “in at least one exemplary embodiment”, “[i]n each and every exemplary instance”. The term “first control device” only appears in the abstract and claims and is never given an actual definition. Patent Owner’s arguments give only examples and no definition. Therefore, the ordinary and customary meaning must be dependent on the words “control” and “device” themselves. Patent Owner says a CPU can be, but not “is” a first control device, i.e. “[t]he ‘first control device’ of Claim 3, in at least one exemplary embodiment, can, for example, be identified as being the CPU 4”. Patent Owner attempts to take cited examples of “vehicle component ... systems” as indicating such components/systems are not control devices. Such citations only demonstrate components that can be vehicle components, and say nothing about whether such components are control devices. There is no express definition of “first control device”.

Third, the citations applied to the claims from Ramono use separate components that are electrically connected, though it is not clear that even this low hurdle is required by the claim language. In Ramono nothing is “broken up” into pieces. Furthermore, as both the cited prior art and Patent Owner’s specification make clear, large components/devices/systems are often composed of other components/devices/systems. Patent Owner provides no reason why the claims cannot read upon these internal components.

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Fourth, Patent Owner also does not offer an actual definition of “second control device”. Instead, Patent Owner offers non-exhaustive embodiments, instances, and examples, i.e. “in at least one exemplary embodiment”, “[i]n each and every exemplary instance”. The term “second control device” only appears in the abstract and claims and never to give an actual definition. Patent Owner’s arguments give only examples and no definition. Therefore, the ordinary and customary meaning must be dependent on the words “control” and “device” themselves. Patent Owner suggests specification language such as “apparatus may also be utilized *in conjunction with a computer network*” or “*invention may be utilized in conjunction with any suitable communication device(s)*” indicates the “second control device” cannot be part of a communication system or device. To the contrary the cited specification examples indicate that the second control device may actually be the transmitter or receiver (such as a radio or cellular phone of Ryoichi or Pagliaroli) to enable the “invention” or “apparatus” to work in conjunction with communications systems. Indeed, Patent Owner only bolsters the case that the claim language reads upon the cited prior art. Note, the citations are silent to what the “second control device” actually is and instead recite “apparatus” or “invention”.

For all the preceding reasons, Patent Owner’s arguments are not persuasive.

Conclusion

Extensions of Time

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that reexamination proceedings

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"will be conducted with special dispatch" (37 CFR 1.550(a)). Extension of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

Notification of Concurrent Proceedings

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a), to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,542,076 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

Amendment in Reexamination Proceedings

Patent owner is notified that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR 1.530(d)-(j), must be formally presented pursuant to 37 CFR 1.52(a) and (b), and must contain any fees required by 37 CFR 1.20(c). See MPEP § 2250(IV) for examples to assist in the preparation of proper proposed amendments in reexamination proceedings.

However see also MPEP 2250, III., i.e. "Pursuant to 1.530(j), '[n]o amendment may be proposed for entry in an expired patent.'" And the last paragraph on page 27 of the 9/08/2014 Order.

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Submissions

In order to insure full consideration of any amendments, affidavits or declarations or other documents as evidence of patentability, such documents must be submitted in response to the first Office action on the merits (which does not result in a close of prosecution).

Submissions after the second Office action on the merits, which is intended to be a final action, will be governed by the requirements of 37 CFR 1.116, after final rejection and by 37 CFR 41.33 after appeal, which will be strictly enforced.

IDS Submissions

Regarding IDS submissions MPEP 2256 recites the following: "Where patents, publications, and other such items of information are submitted by a party (patent owner or requester) in compliance with the requirements of the rules, the requisite degree of consideration to be given to such information will be normally limited by the degree to which the party filing the information citation has explained the content and relevance of the information."

Accordingly, the IDS submissions have been considered by the Examiner only with the scope required by MPEP 2256.

Citations were lined through where the corresponding reference/publication did not appear to be provided on the submitted CD, i.e. publication not provided or the IDS citation provided did not appear to correspond to any of the publication "names" provided on the submitted CD.

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Service of Papers

After filing of a request for *ex parte* reexamination by a third party requester, any document filed by either the patent owner or the third party requester must be served on the other party (or parties where two or more third party requester proceedings are merged) in the reexamination proceeding in the manner provided in 37 CFR 1.248. The document must reflect service or the document may be refused consideration by the Office. See 37 CFR 1.550(f).

Correspondence

7. **All** correspondence relating to this *ex parte* reexamination proceeding should be directed:

By Mail to: Mail Stop *Ex Parte* Reexam
 Central Reexamination Unit
 Commissioner for Patents
 United States Patent & Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX to: (571) 273-9900
 Central Reexamination Unit

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Registered users of EFS-Web may alternatively submit such correspondence via the electronic filing system EFS-Web, at <https://efs.uspto.gov/efile/myportal/efs-registered>. EFS-Web offers the benefit of quick submission to the particular area of the Office that needs to act

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on the correspondence. Also, EFS-Web submissions are “soft scanned” (i.e., electronically uploaded) directly into the official file for the reexamination proceeding, which offers parties the opportunity to review the content of their submissions after the "soft scanning" process is complete.

Any inquiry concerning this communication should be directed to the Central Reexamination Unit at telephone number 571-272-7705.

Other useful telephone numbers:

Reexamination Practice (571) 272-7703

/Karin M. Reichle/
Examiner, CRU
Art Unit 3992

Conferees

/WILLIAM H WOOD/
Primary Examiner, Art Unit 3992

/Woo H. Choi/
SPRS, Art Unit 3992

Office Action in Ex Parte Reexamination	Control No. 90/013,302	Patent Under Reexamination 6,542,076 B1 E	
	Examiner Karin Reichle	Art Unit 3992	AIA (First Inventor to File) Status No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a. Responsive to the communication(s) filed on 4/10/2015.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- b. This action is made FINAL.
- c. A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 3. <input type="checkbox"/> Interview Summary, PTO-474. |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statement, PTO/SB/08. | 4. <input type="checkbox"/> _____. |

Part II SUMMARY OF ACTION

- 1a. Claims 3 are subject to reexamination.
- 1b. Claims 1,2 and 4-218 are not subject to reexamination.
2. Claims _____ have been canceled in the present reexamination proceeding.
3. Claims _____ are patentable and/or confirmed.
4. Claims 3 are rejected.
5. Claims _____ are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____ .
4 been filed in reexamination Control No. _____ .
5 been received by the International Bureau in PCT application No. _____ .
* See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

cc: Requester (if third party requester)

Notice of References Cited	Application/Control No. 90/013,302	Applicant(s)/Patent Under Reexamination 6,542,076 B1 ET AL.	
	Examiner Karin Reichle	Art Unit 3992	Page 1 of 1

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*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
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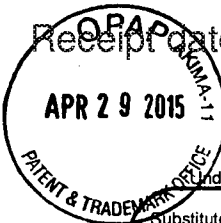
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NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)			
*	U	US Application Serial No. 08/681,172 filed by Nathan Polish on July 22, 1996, now abandoned.			
*	V	Provisional Application No. 60/014,427 filed DiRienzo on March 28, 1995.			
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		Filing Date	JULY 21, 2014
		First Named Inventor	RAYMOND A. JOAO
		Art Unit	3992
		Examiner Name	K. REICHLÉ
Sheet 1 of 35	Attorney Docket Number	REEXAM-6542076	

NON PATENT LITERATURE DOCUMENTS			
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		Art Unit	3992
		Examiner Name	K. REICHLE
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		Filing Date	JULY 21, 2014		
		First Named Inventor	RAYMOND A. JOAO		
		Art Unit	3992		
		Examiner Name	K. REICHLE		
Sheet	9	of	35	Attorney Docket Number	REEXAM-6542076

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	90/013,302
		Filing Date	JULY 21, 2014
		First Named Inventor	RAYMOND A. JOAO
		Art Unit	3992
		Examiner Name	K. REICHLE
Sheet	16	of	35
		Attorney Docket Number	REEXAM-6542076

NON PATENT LITERATURE DOCUMENTS			
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				Application Number	90/013,302	
				Filing Date	JULY 21, 2014	
				First Named Inventor	RAYMOND A. JOAO	
				Art Unit	3992	
				Examiner Name	K. REICHLE	
Sheet	24	of	35	Attorney Docket Number	REEXAM-6542076	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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		Commercialized or publicly available military or government systems relating to the lunar rovers, satellite controllers and the space shuttle program.	
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		Commercialized or publicly available military or government systems relating to the lunar rovers, satellite controllers, and the space shuttle program.	
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		Richard Cogger NSF Grant Application Abstract	
		MCS Page	
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		JONES, et al., "Handling Audio and Video Streams in a Distributed Environment"	
		YANG, "INETPhone: Telephone Services and Servers on Internet"	
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		MACEDONIA, et al., "Mbone Provides Audio and Video Across the Internet"	
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		comp.misc web page	

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		rec.video.cable-tv web page	
		CHEN, et al., "Real Time Video and Audio in the World Wide Web"	
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		Bob Metcalfe's Article about the Trojan Room Coffee Pot web page	
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	2	JAP 63-34612	02-15-1988	Saka et al		
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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1	GB 2253534A	09-09-1992	Harris		
	2	EP 0232031A1		Hale		
	3	EP 952588	04-24-1998	Sudoh		
	4	EP 0604009		Bowater		
	5	EP 0680859	04-29-1994	Fleck		
	6	SE 9200631	09-03-1993	Romo		

Examiner Signature	/Karin Reichle/	Date Considered	05/21/2015
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Substitute for form 1449/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>		Complete if Known	
	Application Number	90/013,302	
	Filing Date	JULY 21, 2014	
	First Named Inventor	RAYMOND A. JOAO	
	Art Unit	3992	
	Examiner Name	K. REICHLER	
	Attorney Docket Number	REEXAM-6542076	
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	1	GB 2051442	01-14-1981	Howard et al		
	2	GB 2217081	10-18-1989	Muidoon et al		
	3	WO 89/05553	06-15-1989	Sheffer et al		
	4	WO 92/22883	12-23-1992	Ruus		
	5	FR 2674352	09-25-1992	Frossard		
	6	EP 0494030	07-08-1992	Audoli et al		

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		Filing Date	JULY 21, 2014
		First Named Inventor	RAYMOND A. JOAO
		Art Unit	3992
		Examiner Name	K. REICHLE
		Attorney Docket Number	REEXAM-6542076
Sheet	34	of	35

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	1	GB 2279478	01-04-1995	Hunter et al		
	2	EP 0413090	02-02-1991	Siegle		
	3	EP 0720412	11-12-1995	Pittarelli		
	4	EP 0229869	07-29-1987	Memmola		
	5	EP 0505627	09-30-1992	Neumann		
	6	FR 2816434				

Examiner Signature	/Karin Reichle/	Date Considered	05/21/2015
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		Filing Date	JULY 21, 2014
		First Named Inventor	RAYMOND A. JOAO
		Art Unit	3992
		Examiner Name	K. REICHL
Attorney Docket Number	REEXAM-6542076		
Sheet	35	of	35

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		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
	1	EP 0704712	03-04-1996	Huschelrath et al		
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	Filing Date	JULY 21, 2014
	First Named Inventor	RAYMOND A. JOAO
	Art Unit	3992
	Examiner Name	K. REICHLER
Sheet 1 of 32	Attorney Docket Number	REEXAM-6542076

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		Number-Kind Code ² (if known)			
		US- 3,669,288	06-13-1972	YOUNG	
		US- 4,003,045	01-11-1977	STOCKDALE	
		US- 4,050,301	09-27-1977	CUSHING	
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		US- 4,074,248	02-14-1978	STOCKDALE	
		US- 4,100,543	07-11-1978	STOCKDALE, et al.	
		US- 4,137,429	01-30-1979	STOCKDALE	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 32

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Art Unit	3992
Examiner Name	K. REICHLÉ
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		Number-Kind Code ² (if known)			
		US- 4,409,670	10-11-1983	HERNDON, et al.	
		US- 4,454,583	06-12-1984	SCHNEIDERHAN, et al.	
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		US- 4,638,289	01-20-1987	ZOTNIK	
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		US- 4,671,111	06-09-1987	LEMELSON	

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		Examiner Name	K. REICHLER
		Attorney Docket Number	REEXAM-6542076
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		US- 4,882,746	11-21-1989	SHIMADA	

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Sheet 4 of 32													

U. S. PATENT DOCUMENTS					
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		Number-Kind Code ² (if known)	MM-DD-YYYY		
		US- 4,908,629	03-13-1990	APSELL, et al.	
		US- 4,931,793	06-05-1990	FUHRMANN, et al.	
		US- 4,945,410	07-31-1990	WALLING	
		US- 4,958,454	09-25-1990	CHAN, et al.	
		US- 4,959,713	09-25-1990	MOROTOMI, et al.	
		US- 4,963,995	10-16-1990	LANG	
		US- 4,988,992	01-29-1991	HEITSCHÉL, et al.	
		US- 4,989,146	01-29-1991	IMAJÓ	
		US- 5,002,491	03-26-1991	ABRAHAMSON, et al.	
		US- 5,003,317	03-26-1991	GRAY, et al.	
		US- 5,005,126	04-02-1991	HASKIN	
		US- 5,008,840	04-16-1991	DEPIERRO	
		US- 5,031,103	07-09-1991	KAMIMURA, et al.	
		US- 5,056,056	10-08-1991	GUSTIN	
		US- 5,057,932	10-15-1991	LANG	
		US- 5,058,423	10-22-1991	OZAKI, et al.	
		US- 5,065,321	11-12-1991	BEZOS, et al.	
		US- 5,068,656	11-26-1991	SUTHERLAND	
		US- 5,075,527	12-24-1991	IKUMA	

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		Filing Date	JULY 21, 2014
		First Named Inventor	RAYMOND A. JOAO
		Art Unit	3992
		Examiner Name	K. REICHL
		Attorney Docket Number	REEXAM-6542076
Sheet	5	of	32

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		Number-Kind Code ^{2 (if known)}				
		US-	5,081,667	01-14-1992	DRORI, et al.	
		US-	5,084,828	01-28-1992	KAUFMAN, et al.	
		US-	5,086,385	02-04-1992	LAUNEY, et al.	
		US-	5,097,253	03-17-1992	ESCHBACH, et al.	
		US-	5,113,427	05-12-1992	RYOICHI, et al.	
		US-	5,115,678	05-26-1992	OZAKI, et al.	
		US-	5,128,874	07-07-1992	BHANU, et al.	
		US-	5,132,992	07-21-1992	YURT, et al.	
		US-	5,133,079	07-21-1992	BALLANTYNE, et al.	
		US-	5,138,649	08-11-1992	KRISBERGH, et al.	
		US-	5,144,661	09-01-1992	SHAMOSH, et al.	
		US-	5,157,491	10-20-1992	KASSATLY	
		US-	5,164,839	11-17-1992	LANG	
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		US-	5,189,396	02-23-1993	STOBBE	
		US-	5,192,999	03-09-1993	GRACZYK, et al.	
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		US-	5,206,934	04-27-1993	NAEF, III	
		US-	5,208,756	05-04-1993	SONG	

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		US- 5,223,844	06-29-1993	MANSELL, et al.	
		US- 5,224,211	06-29-1993	ROE	
		US- 5,239,468	08-24-1993	SEWERSKY, et al.	
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		US- 5,253,275	10-12-1993	YURT, et al.	
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		US- 5,410,343	04-25-1995	CODDINGTON, et al.	
		US- 5,412,708	05-02-1995	KATZ	
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		US- 5,508,736	04-16-1996	COOPER	
		US- 5,509,009	04-16-1996	LAYCOCK, et al.	

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		US- 5,510,828	04-23-1996	LUTTERBACH, et al.	
		US- 5,510,832	04-23-1996	GARCIA	
		US- 5,512,902	04-30-1996	GUTHRIE, et al.	
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		US- 5,515,043	05-07-1996	BERARD, et al.	
		US- 5,526,269	06-11-1996	ISHIBASHI, et al.	
		US- 5,528,281	06-18-1996	GRADY, et al.	
		US- 5,537,141	07-16-1996	HARPER, et al.	
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		US- 5,544,649	08-13-1996	DAVID, et al.	
		US- 5,547,149	08-20-1996	KALBERER, et al.	
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		US- 5,550,738	08-27-1996	BAILEY, et al.	
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		US- 5,559,511	09-24-1996	ITO, et al.	
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Filing Date	JULY 21, 2014												
First Named Inventor	RAYMOND A. JOAO												
Art Unit	3992												
Examiner Name	K. REICHLER												
Attorney Docket Number	REEXAM-6542076												
Sheet 9 of 32													

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		Number-Kind Code ² (if known)			
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		US- 5,568,535	10-22-1996	SHEFFER, et al.	
		US- 5,572,438	11-05-1996	EHLERS, et al.	
		US- 5,577,689	11-26-1996	HARO	
		US- 5,587,715	12-24-1996	LEWIS	
		US- 5,594,425	01-14-1997	LADNER, et al.	
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		US- 5,600,368	02-04-1997	MATTHEWS, III	
		US- 5,602,450	02-11-1997	COWAN, et al.	
		US- 5,606,361	02-25-1997	DAVIDSOHN, et al.	
		US- 5,627,753	05-06-1997	BRANKIN, et al.	
		US- 5,633,872	05-27-1997	DINKINS	
		US- 5,640,442	06-17-1997	FITZGERALD, et al.	
		US- 5,660,246	08-26-1997	KAMAN	
		US- 5,668,537	09-16-1997	CHANSKY, et al.	
		US- 5,680,123	10-21-1997	LEE	
		US- 5,682,133	10-28-1997	JOHNSON, et al.	
		US- 5,694,335	12-02-1997	HOLLENBERG	
		US- 5,699,276	12-16-1997	ROOS	

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		US- 5,710,970	01-20-1998	WALTERS, et al.	
		US- 5,712,789	01-27-1998	RADICAN	
		US- 5,715,905	02-10-1998	KAMAN	
		US- 5,717,379	02-10-1998	PETERS	
		US- 5,719,771	02-17-1998	BUCK, et al.	
		US- 5,721,829	02-24-1998	DUNN, et al.	
		US- 5,724,092	03-03-1998	DAVIDSOHN, et al.	
		US- 5,727,950	03-17-1998	COOK, DECEASED, et al.	
		US- 5,729,217	03-17-1998	ITO, et al.	
		US- 5,729,452	03-17-1998	SMITH, et al.	
		US- 5,731,785	03-24-1998	LEMELSON, et al.	
		US- 5,732,074	03-24-1998	SPAUR, et al.	
		US- 5,734,413	03-31-1998	LAPPINGTON, et al.	
		US- 5,734,963	03-31-1998	FITZGERALD, et al.	
		US- 5,737,222	04-07-1998	PALMER	
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		US- 5,757,640	05-26-1998	MONSON	

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	Art Unit	3992
	Examiner Name	K. REICHLÉ
Attorney Docket Number	REEXAM-6542076	
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		US- 5,758,300	05-26-1998	ABE	
		US- 5,758,313	05-26-1998	SHAH, et al.	
		US- 5,761,625	06-02-1998	HONCIK, et al.	
		US- 5,769,643	06-23-1998	STEVENS, III	
		US- 5,772,446	06-30-1998	ROSEN	
		US- 5,774,876	06-30-1998	WOOLLEY, et al.	
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		US- 5,796,365	08-18-1998	LEWIS	
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		US- 5,798,647	08-25-1998	MARTIN, et al.	
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		US- 5,821,880	10-13-1998	MORIMOTO, et al.	
		US- 5,823,948	10-20-1998	ROSS, JR., et al.	
		US- 5,825,283	10-20-1998	CAMHI	
		US- 5,826,827	10-27-1998	COYASO, et al.	
		US- 5,835,376	11-10-1998	SMITH, et al.	
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		US- 5,841,638	11-24-1998	PURDOM, et al.	
		US- 5,842,199	11-24-1998	MILLER, et al.	
		US- 5,842,978	12-01-1998	LEVY	
		US- 5,844,473	12-01-1998	KAMAN	
		US- 5,845,203	12-01-1998	LADUE	
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		US- 5,845,283	12-01-1998	WILLIAMS, et al.	
		US- 5,862,330	01-19-1999	ANUPAM, et al.	
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		US- 5,877,707	03-02-1999	KOWALICK	
		US- 5,880,720	03-09-1999	IWAFUNE, et al.	
		US- 5,884,032	03-16-1999	BATEMAN, et al.	
		US- 5,890,079	03-30-1999	LEVINE	
		US- 5,892,437	04-06-1999	SCHEIBE, et al.	
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		US- 5,896,020	04-20-1999	PYO	
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		US- 5,903,226	05-11-1999	SUMAN, et al.	
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		US- 5,911,582	06-15-1999	REDFORD, et al.	
		US- 5,911,776	06-15-1999	GUCK	
		US- 5,917,405	06-29-1999	JOAO	
		US- 5,917,434	06-29-1999	MURPHY	
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		Number-Kind Code ² (if known)			
		US- 5,922,037	07-13-1999	POTTS	
		US- 5,929,850	07-27-1999	BROADWIN, et al.	
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		US- 5,948,026	09-07-1999	BEEEMER, II., et al.	
		US- 5,949,345	09-07-1999	BECKERT, et al.	
		US- 5,959,577	09-28-1999	FAN, et al.	
		US- 5,963,202	10-05-1999	POLISH	
		US- 5,969,714	10-19-1999	BUTCHER	
		US- 5,969,953	10-19-1999	PURDOM, et al.	
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		US- 5,974,349	10-26-1999	LEVINE	
		US- 5,974,446	10-26-1999	SONNENREICH, et al.	
		US- 5,976,648	11-02-1999	LI, et al.	
		US- 5,978,567	11-02-1999	REBANE, et al.	
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		US- 5,982,048	11-09-1999	FENDT, et al.	
		US- 5,983,161	11-09-1999	LEMELSON, et al.	
		US- 5,988,645	11-23-1999	DOWNING	
		US- 5,995,705	11-30-1999	LANG	

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		US- 6,001,065	12-14-1999	DEVITO	
		US- 6,002,720	12-14-1999	YURT, et al.	
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		US- 6,141,620	10-31-2000	ZYBURT, et al.	
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		US- 6,249,241	06-19-2001	JORDAN, et al.	
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	US-	6,332,098	12-18-2001	ROSS, et al.	
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		US- 6,430,531	08-06-2002	POLISH	
		US- 6,430,603	08-06-2002	HUNTER	
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		US- 6,493,685	12-10-2002	ENSEL, et al.	
		US- 6,525,780	02-25-2003	BRUNO, et al.	
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		US- 6,567,813	05-20-2003	ZHU, et al.	
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		US- 6,621,827	09-16-2003	REZVANI, et al.	
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		US- 20020017996	02-14-2002	NIEMIEC	
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		US- 20020046299	04-18-2002	LEFEBER, et al.	
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		US- 20020049622	04-25-2002	LETTICH, et al.	
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U. S. PATENT DOCUMENTS					
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		Number-Kind Code ² (if known)			
		US- 6,001,066	12-14-1999	CANFIELD, et al.	
		US- SN 60/004,472		POLISH	
		US- SN 60/014,427		DIRENZO	
		US- 5,442,553	08-05-1995	PARRILLO	
		US- 5,400,018	03-21-1995	SCHOLL, et al.	
		US- 5,445,347	08-29-1995	NG	
		US- 2,674,352	04-06-1954	BRAUN, SR.	
		US- 4,206,449	06-03-1980	GALVIN, et al.	
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		US- 4,644,478	02-17-1987	STEPHENS, et al.	
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		US- 4,896,580	01-30-1990	RUDNICKI	
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		US- 5,083,106	01-21-1992	KOSTUSIAK, et al.	
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		US- 5,210,873	05-11-1993	GAY, et al.	
		US- 5,223,816	06-29-1993	LEVINSON, et al.	
		US- 5,295,551	03-22-1994	SUKONICK	

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Examiner Signature: /Karin Reichle/	Date Considered:	05/21/2015
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Sheet <u>27</u> of <u>32</u>													

U. S. PATENT DOCUMENTS					
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		Number-Kind Code ² (if known)			
		US- 5,321,396	06-14-1994	LAMMING, et al.	
		US- 5,515,285	05-07-1996	GARRETT, SR., et al.	
		US- 5,523,950	06-04-1996	PETERSON	
		US- 5,533,589	07-09-1996	CRITZER	
		US- 5,790,019	08-04-1998	EDWIN	
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		US- 4,522,146	06-11-1985	CARLSON	
		US- 4,857,912	08-15-1989	EVERETT, JR., et al.	
		US- 4,420,238	12-13-1983	FELIX	
		US- 4,347,590	08-31-1982	HEGER, et al.	
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		US- 4,789,904	12-06-1988	PETERSON	
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		US- 5,736,927	04-07-1998	STEBBINS	
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		US- 5,708,417	01-13-1998	TALLMAN, et al.	
		US- 4,651,143	03-17-1987	YAMANAKA	
		US- 6,323,566	11-27-2001	MEIER	
		US- 5,281,367	01-25-1994	SCHLECK, et al.	
		US- 5,457,597	10-10-1995	ROTHSCHILD	
		US- 5,428,546	06-27-1995	SHAH, et al.	
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Sheet 30 of 32

Complete if Known

Application Number 90/013,302
 Filing Date JULY 21, 2014
 First Named Inventor RAYMOND A. JOAO
 Art Unit 3992
 Examiner Name K. REICHLÉ
 Attorney Docket Number REEXAM-6542076

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	US-	5,959,568	09-28-1999	WOOLLEY	
	US-	6,859,722	02-22-2005	JONES	
	US-	7,212,829	05-01-2007	LAU, et al.	
	US-	7,272,179	09-18-2007	SIEMENS, et al.	
	US-	7,313,476	12-25-2007	NICHOLS, et al.	
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