



**DO NOT USE IN PALM PRINTER**

(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

EDWARD LANGER

C/O SHIBOLETH YISRAELI ROBERTS ZISMAN & CO.

1 PENN PLAZA-SUITE 2527

NEW YORK, NY 10119

**MAILED**

**NOV 22 2010**

**CENTRAL REEXAMINATION UNIT**

## **EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/009,513.

PATENT NO. 7457250.

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)).

**Notice of Intent to Issue  
Ex Parte Reexamination Certificate**

Control No. 90/009,513	Patent Under Reexamination 7457250	
Examiner ERIC B. KISS	Art Unit 3992	

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

1.  Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. Cf. 37 CFR 1.313(a). A Certificate will be issued in view of
- (a)  Patent owner's communication(s) filed: 15 June 2010.
  - (b)  Patent owner's late response filed: \_\_\_\_\_.
  - (c)  Patent owner's failure to file an appropriate response to the Office action mailed: \_\_\_\_\_.
  - (d)  Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
  - (e)  Other: \_\_\_\_\_.

Status of *Ex Parte* Reexamination:

(f) Change in the Specification:  Yes  No

(g) Change in the Drawing(s):  Yes  No

(h) Status of the Claim(s):

- (1) Patent claim(s) confirmed: See attached.
- (2) Patent claim(s) amended (including dependent on amended claim(s)): \_\_\_\_\_
- (3) Patent claim(s) canceled: \_\_\_\_\_.
- (4) Newly presented claim(s) patentable: \_\_\_\_\_.
- (5) Newly presented canceled claims: \_\_\_\_\_.
- (6) Patent claim(s)  previously  currently disclaimed: \_\_\_\_\_
- (7) Patent claim(s) not subject to reexamination: See attached.

2.  Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
3.  Note attached NOTICE OF REFERENCES CITED (PTO-892).
4.  Note attached LIST OF REFERENCES CITED (PTO/SB/08 or PTO/SB/08 substitute).
5.  The drawing correction request filed on \_\_\_\_\_ is:  approved  disapproved.
6.  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  
 been received.  
 not been received.  
 been filed in Application No. \_\_\_\_\_.  
 been filed in reexamination Control No. \_\_\_\_\_.  
 been received by the International Bureau in PCT Application No. \_\_\_\_\_.
- \* Certified copies not received: \_\_\_\_\_.
7.  Note attached Examiner's Amendment.
8.  Note attached Interview Summary (PTO-474).
9.  Other: \_\_\_\_\_.

/Eric B. Kiss/  
Primary Examiner, Art Unit 3992

cc: Requester (if third party requester)  
U.S. Patent and Trademark Office

Art Unit: 3992

**NOTICE OF INTENT TO ISSUE AN *EX PARTE* REEXAMINATION CERTIFICATE**

Claims 1, 2, 5, 13, 15, 20-32, 34, 36, 41-43, 45-47, 49, 50, 53, 54, 56-68, 70, 72, 77-79, 81-83, 85, 86, 89, 90, 92-104, 106, 108, 113-115, 117-119, 121, and 122 of Pat. 7,457,250 are subject to reexamination.

Claims 3, 4, 6-12, 14, 16-19, 33, 35, 37-40, 44, 48, 51, 52, 55, 69, 71, 73-76, 80, 84, 87, 88, 91, 105, 107, 109-112, 116, 120, and 123-126 are not subject to reexamination.

Claims 1, 2, 5, 13, 15, 20-32, 34, 36, 41-43, 45-47, 49, 50, 53, 54, 56-68, 70, 72, 77-79, 81-83, 85, 86, 89, 90, 92-104, 106, 108, 113-115, 117-119, 121, and 122 are confirmed.

***Information Disclosure Statement***

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. The initials of the examiner placed adjacent to the citations on the form PTO /SB /08A and 08B or its equivalent, without an indication to the contrary in the record, do not signify that the information has been considered by the examiner any further than to the extent noted above.

The Information Disclosure Statement filed June 15, 2010, has been given due consideration.

The patent owner's comments regarding the appropriate level of consideration required by the Office for cited references have been noted. (Remarks at 95-96.) As stated in the

Art Unit: 3992

previous Office action, (Non-final Rejection, 4/6/2010, p. 3), the prior IDS submissions have been considered with the scope required by MPEP 2256.

***Statement of Reasons for Patentability and/or Confirmation***

The following is an examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding:

Regarding independent claim 1, for the reasons set forth in the patent owner's response, (Remarks at 24-30), the examiner agrees that *Intecom* and/or *IBM TDB* fail to teach or suggest a first cable connected between a central module and the first piece of equipment and a second cable connected between the central module and the second piece of equipment, with an altered current flow in the first cable communicating information about the first piece of equipment and, in addition, an altered current flow in the second cable communicating information about the second piece of equipment.

Regarding independent claim 53, for the reasons set forth in the patent owner's response, (Remarks at 50-54), the examiner agrees that *Intecom* and/or *IBM TDB* fail to teach or suggest separate cabling connected between each object and a central module, with an altered current flow in the cabling conveying information about each object to the central module while each object is connected to the network via separate cabling.

Regarding independent claim 89, for the reasons set forth in the patent owner's response, (Remarks at 72-76), the examiner agrees that *Intecom* and/or *IBM TDB* fail to teach or suggest separate cabling connected between each object and a central module, with an altered current flow in the cabling conveying information about each object while each object is connected to the network via separate cabling.

Art Unit: 3992

Dependent claims 2, 5, 13, 15, 20-32, 34, 36, 41-43, 45-47, 49, 50, 54, 56-68, 70, 72, 77-79, 81-83, 85, 86, 90, 92-104, 106, 108, 113-115, 117-119, 121, and 122 are patentable for at least the reasons given above with respect to independent claims 1, 53, and 89.

Any comments considered necessary by PATENT OWNER regarding the above statement must be submitted promptly to avoid processing delays. Such submission by the patent owner should be labeled: "Comments on Statement of Reasons for Patentability and/or Confirmation" and will be placed in the reexamination file.

# Explore Litigation Insights

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

## Real-Time Litigation Alerts



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

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

## Advanced Docket Research



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

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

## Analytics At Your Fingertips



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

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

## API

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

## LAW FIRMS

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

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

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.