IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Detlef Wiese, et al.

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Atty. Docket No.: 500593.20017

METHOD AND APPARATUS FOR ENCODING SIGNALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT AND RESPONSE

This Amendment and Response is responsive to the Office Action dated December 10, 2007 (herein referred to as "the Office Action" or "this Office Action").

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CLAIMS

1-36. (canceled)

37. (currently amended)   A method of encoding signals, in particular digitized audio signals, ~~with an encoding device~~ for encoding the signal in an encoding format and a processing device for processing of the encoded signal, the method comprising the steps of:

~~automatically selecting the encoding format dependent on the properties of the processing device; and~~

~~employing at least one of the following steps for determining the selected coding format: ascertaining the properties of the processing device by a signal directed to the processing device; and calling out the properties of the processing device from a storage means.~~

providing an encoding device for encoding a signal in an encoding format;

providing a processing device for processing the encoded signal; and

providing a control device for determining the encoding format, wherein the encoding format corresponds to at least one property of the processing device, and wherein the control device determines the encoding format by carrying out at least the following steps:

transmitting a test signal to the processing device, wherein the test signal is transmitted by a test signal generator of the control device; and

detecting at least one property of the processing device.

38. (previously presented)   The method as set forth in claim 37, wherein the processing device includes at least one of a transmitting device for transmission of the encoded signal and a storage device for storage of the encoded signal and a decoding device for decoding of the encoded signal.

39. (currently amended)   The method as set forth in claim 37, wherein the processing device is a transmission device for transmission of the encoded signal, and ~~that~~ wherein the transmission device is used for simultaneously transmitting and receiving the encoded signal.

40. (previously presented)   The method as set forth in claim 37, wherein the processing device is a transmitting device for transmission of the encoded signal and wherein the transmission device has a decoding device for simultaneous decoding upon the reception of an encoded signal.

41. (cancelled)   The method as set forth in claim 37, wherein, prior to determining the encoding format, the properties of the processing device are ascertained a test signal directed to the processing device.

42. (currently amended)   The method as set forth in claim 37, wherein the encoding format corresponds to the processor power of the processing device is referred to as the property thereof so that the encoding format is determined in such a way that it is processed by the processing device in real time.

43. (currently amended)   The method as set forth in claim 42, wherein the processing device is a transmission device for transmission of the encoded signal and wherein the encoding format corresponds to is determined in dependence on the power of the transmission device so that the transmission device can effect affect transmission in real time.

44. (currently amended)   The method as set forth in claim 37, wherein the properties at least one property of the processing device are is called up out of a storage means prior to encoding.

45. (currently amended)   The method as set forth in claim 37, wherein, prior to encoding of the signal, by a display/input device, the user of the encoding device is asked to do at least one of: preset the desired encoding format and preset the properties at least one property of the selected processing device, and encoding is effected affected in accordance with the presetting.

46. (previously presented)   The method as set forth in claim 37, wherein the signal is digitized prior to the encoding operation.

47. (previously presented)   The method as set forth in claim 37, wherein the signal is encoded in a bit rate-reduced encoding format.

48. (previously presented)   The method as set forth in claim 37, wherein the signal is a digitized audio signal and the signal is source-encoded having regard to psycho-acoustic phenomena.

49. (previously presented)   The method as set forth in claim 37, wherein transmission and/or storage devices of varying capacity are available as processing devices and prior to transmission and/or storage of the signals, in the case of signals of higher quality, that is to say with a larger amount of data, a transmission device and/or storage device of larger capacity is selected and in the transmission and/or storage of signals of lower quality, that is to say with a smaller quantity of data, a transmission device and/or storage device of smaller capacity is selected.

50. (previously presented)   The method as set forth in claim 37, wherein the signals to be sent are audio signals, wherein the audio signals are encoded in bit rate-reduced form by the encoding device, wherein a plurality of transmission channels and/or bit rates are available for transmission of the signal and wherein the transmission channel and/or the bit rate in the transmission are so selected that the signal can be transmitted in real time.

51. (previously presented)   The method as set forth in claim 50, wherein a fixedly preset computing power is adopted for operation in real time.

52. (previously presented)   The method as set forth in claim 37, wherein the processing device is a transmitting device for transmission of the encoded signal and wherein the transmission device has a decoding device for simultaneous decoding upon the reception of an encoded signal, and wherein a fixedly preset computing power is adopted for operation in real time and wherein with simultaneous transmission and reception in real time the encoding formats of the encoding and decoding devices are selected in accordance with the predetermined computing power.

53. (currently amended)   The method as set forth in claim 52, wherein presetting in respect of the distribution of the computing power and thus the choice of the encoding format in regard to a preference for the encoding device or the decoding device or parity of the two is ~~effected~~ affected by an input device.

54. (cancelled)   In a method of encoding signals, in particular digitized audio signals, with an encoding device for encoding the signal in an encoding format and a processing device for processing of the encoded signal, said method including the step of determining the encoding format dependent on the properties of the encoding device.

55. (cancelled)   The method as set forth in claim 37, wherein the encoding format is determined by a control device.

56. (currently amended)   Apparatus for encoding signals comprising:
    an encoding device for encoding a signal in an encoding format;
    a processing device for processing the encoded signal; and
    ~~a control device which automatically presets the encoding format to be used for encoding dependent on the properties of said processing device for further processing of the signals;~~
    ~~said control device having a signal generator which emits a signal, by which the control device adjusts the properties of the connected processing device.~~
    a control device for determining the encoding format, wherein the encoding format corresponds to at least one property of the processing device, and wherein the control device determines the encoding format by carrying out at least the following steps:
        transmitting a test signal to the processing device, wherein the test signal is transmitted by a test signal generator of the control device; and
        detecting at least one property of the processing device.

57. (currently amended)   Apparatus as set forth in claim 56, wherein~~, connected to the apparatus, is~~ a transmission device is connected to the control device~~,~~ as a processing device for transmission of the signals to a receiver, wherein the encoding format ~~is adapted by the control device to~~ corresponds to the properties of the transmission device.

58. (currently amended)   Apparatus as set forth in claim 57, wherein the encoding format ~~is adapted by the control device~~ corresponds to the bit rate of the transmission device.

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