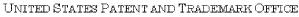
	ed States Patent	AND TRADEMARK OFFICE	UNITED STATES DEPAR United States Patent and Address: COMMISSIONER I P.O. Box 1450 Alexandria, Virginia 22 www.uspto.gov	FOR PATENTS
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/012,876	05/23/2013	7932923	1092/0101PUS1	6419
	7590 08/30/2013 FIGG, ERNST & MANE N.W.	EXAMINER BASEHOAR, ADAM L		
SUITE 800 WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			08/30/2013	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. 90/012,876.

PATENT NO. <u>7932923</u>.

ART UNIT <u>3992</u>.

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)).

		Control No. 90/012,876	Patent Under Reexamination 7932923
Offi	ce Action in Ex Parte Reexamination	Examiner ADAM BASEHOAR	Art Unit 3992
	The MAILING DATE of this communication app	ears on the cover sheet with the co	rrespondence address
a⊠ Re c⊠ A :	esponsive to the communication(s) filed on <u>23 May 201.</u> statement under 37 CFR 1.530 has not been received f	$\underline{3}$. \underline{b} This action is made Fl rom the patent owner.	NAL.
Failure certifica If the pe	ened statutory period for response to this action is set to to respond within the period for response will result in to the in accordance with this action. 37 CFR 1.550(d). EX eriod for response specified above is less than thirty (30 considered timely.	ermination of the proceeding and issue TENSIONS OF TIME ARE GOVERN	ance of an <i>ex parte</i> reexamination ED BY 37 CFR 1.550(c).
Part I	THE FOLLOWING ATTACHMENT(S) ARE PART OF	THIS ACTION:	
1.	Notice of References Cited by Examiner, PTO-89	92. 3. 🗌 Interview Summa	ry, PTO-474.
2.	Information Disclosure Statement, PTO/SB/08.	4.	
Part II	SUMMARY OF ACTION		
1a.	Claims <u>1-41</u> are subject to reexamination.		
1b.	Claims are not subject to reexamination.		
2.	Claims have been canceled in the present	reexamination proceeding.	
3.	Claims are patentable and/or confirmed.		
4.	⊠ Claims <u>1-41</u> 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 und	der 35 U.S.C. § 119(a)-(d) or (f).	
	a) All b) Some* c) None of the certif	ied 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	n PCT application No	
	* See the attached detailed Office action for a list c	of the certified copies not received.	
9.	Since the proceeding appears to be in condition matters, prosecution as to the merits is closed in 11, 453 O.G. 213.		
10	. 🔲 Other:		
	CVET		
U	CKET		1000 D 0 015
	A R M Find authenticated court doc	uments without watermarks at d	ocketararm.eom

DETAILED ACTION

1. This Office action addresses claims 1-41 of United States Patent Number 7,932,923 B2 (Lipton et al), for which it has been determined in the Order Granting Ex Parte Reexamination (hereafter the "Order") mailed 06/17/2013 that a substantial new question of patentability was raised in the Request for *Ex Parte* reexamination filed on 05/23/2013 (hereafter the "Request"). This is a Non-Final Action.

Reexamination

2. 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. 7,932,923 B2 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.

3. 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 "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).

Application/Control Number: 90/012,876 Art Unit: 3992

4. In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office action. Submissions after the next Office action, which is intended to be a final action, will be governed by the requirements of 37 CFR 1.116, after final rejection and 37 CFR 41.33 after appeal, which will be strictly enforced.

References Submitted by Requester

5. The following six references have been cited as establishing a substantial new question of patentability. See Order, mailed 06/17/2013.

- Courtney '584 (European Patent Application No. EP 0 967 584 A2, published 12/29/1999)
- Courtney '755 (U.S. Patent No. 5,969,755, published 10/19/1999)
- **Brill** (U.S. Patent No. 6,628,835, published 09/30/2003)
- Day-I ("Object Oriented Conceptual Modeling of Video Data," Proceedings on the Eleventh International Conference on Data Engineering, IEEE, March 1995, pp. 401-408)
- Day-II ("Spatio-Temporal Modeling of Video Data for On-Line Object Oriented Query Processing," Proceedings of the International Conference on Multimedia Computing and Systems, IEEE, May 1995. p. 98-105)
- Shotton ("Object Tracking and Event Recognition in Biological Microscopy Videos," Fifth International Conference on Pattern Recognition (ICPR 2000), September 2000)

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