

PATENT APPLICATION TRANSMITTAL LETTER

Docket Number 2199-7

07/02/04
 17114
 10/884180
 PTO

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111 and 37 C.F.R. 1.53 is the patent application of:

Inventor(s): Michael H. Script and Henry J. Script

entitled: "Portable Motion Detector And Alarm System And Method"

Enclosed are:

- ☒ 68 pages of written description, claims and abstract.
- ☒ 37 sheet(s) of drawings.
- ☐ an assignment of the invention to _____.
- ☒ combined declaration and power of attorney of the inventor(s).
- ☐ a certified copy of a _____ application.
- ☐ associate power of attorney.
- ☐ information disclosure statement.
- ☐ preliminary amendment.
- ☐ other: Non-Publication Request and Petition to Make Special.

☒ Applicants claim small entity status under 37 CFR 1.27.

CLAIMS AS FILED

	NUMBER FILED	NUMBER EXTRA		
BASIC FEE			\$770	\$ 770
TOTAL CLAIMS	32 - 20 =	12	x \$ 18	\$ 216
INDEPENDENT CLAIMS	9 - 3 =	6	x \$ 86	\$ 516
MULTIPLE DEPENDENT CLAIMS	0		x \$ 290	\$
* Number Extra Must Be Zero or Larger			TOTAL	\$ 1502
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here			SMALL ENTITY TOTAL	\$ 751

- _____ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- _____ The Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below.
- ☒ Have enclosed a duplicate copy of this sheet.
- ☐ Charge the amount of \$ _____ as filing fee.
- ☐ Credit any overpayment.
- ☐ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.31(b).

Date: July 2, 2004

Signature



WALTER W. DUFT, Reg. #31,948
 10255 Main Street, Suite 10
 Clarence, New York 14031

(2/92 - PTO - 1082)

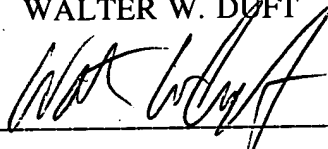
"EXPRESS MAIL" MAILING LABEL NO. _____

ER846563662US

DATE OF DEPOSIT: July 2, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND
IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O.
BOX 1450, ALEXANDRIA, VA. 22313-1450:

WALTER W. DUFT



PORTABLE MOTION DETECTOR AND ALARM SYSTEM AND METHOD

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation-in-part of application serial number 10/613,518, filed July 3, 2003, which is a continuation-in-part of application serial number 10/119,535, filed April 8, 2002, which is a continuation-in-part of application serial number 09/785,702, filed February 16, 2001 (now U.S. Patent No. 6,542,078), which is a continuation-in-part of application serial number 09/271,511, filed March 18, 1999 (now U.S. Patent No. 6,215,396), which is a continuation-in-part of application Serial No. 08/865,886, filed May 30, 1997 (now abandoned), which is based on provisional application serial number 60/018,829, filed May 30, 1996.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates generally to an improved motion detector and alarm system for actuating an alarm device in response to movement of an object, and more particularly to a portable motion detector and alarm system which is easy to install and operate and is capable of detecting motion relative to a variety of predetermined positions.

2. Prior Art

The problem of protecting homes, businesses and other premises against unauthorized intrusions is becoming increasingly important due to the increase in vandalism, theft and even physical attacks upon the inhabitants. Various prior art systems have been developed to address the problem and numerous examples exist of alarm or warning devices. One commonly used protective system involves wiring doors and windows in such a manner that an unauthorized opening of the door or window activates an electric circuit which in turn produces an alarm.

For example, U.S. Patent No. 4,271,405 to Kitterman discloses an alarm control system for protecting a premises including a four conductor bus line leading from a master control station and extending about the interior perimeter of the premises. Sensors positioned near each port of entry to be monitored are connected in parallel relationship to the bus line. Each sensor carries a biased reel carrying line secured to a



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/884,180

07/02/2004

Michael H. Script

2199-7

4575

7590

05/27/2005

Walter W. Duft
Suite 2
8616 Main Street
Williamsville, NY 14221

EXAMINER

MULLEN, THOMAS J

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 05/27/2005

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

Office Action Summary

Application No.

10/884,180

Applicant(s)

SCRIPT ET AL.

Examiner

Thomas J. Mullen, Jr.

Art Unit

2632

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance 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.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 4 is/are allowed.
- 6) ☒ Claim(s) 1,3,19-24 and 30-32 is/are rejected.
- 7) ☒ Claim(s) 5-18 and 25-29 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2632

1. The patent number associated with grandparent application 10/119,535 (US 6828909) should be inserted on page 1 of the specification in the appropriate place; also, the patent number associated with parent application 10/613,518 should be inserted in the specification when known.

2. Claims 1, 3, 5-19 and 32 are objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On line 3 of claims 1, 3, 5, 16 and 32, and on line 4 of claim 19, "movement an" should be --movement of an--.

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

A person shall be entitled to a patent unless –

(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.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by either Vroom (US 5001461) or Krause (US 4167733).

Each of Vroom and Krause discloses a portable, wireless, object movement detection and alarm system (see the Abstract and Figs. 4-5 in Vroom; and the Abstract and Figs. 3, 4 and 7 in Krause), wherein the object does not have to be in a "reference position" prior to detecting the movement; i.e., in each reference a user performs an action to "activate" the sensor(s) of the system, when the associated object is in any given position.

5. Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by either Hess (US 5587701) or Delmonaco (US 6052052).

Note in Hess '701, portable enclosure 10 (Fig. 1); motion sensor 16; wireless security contact switches (and transmitters) 28, 30 (col. 3, lines 54-61); receiver 25; and "video cameras" 27 (col. 3, lines 44-46), associated with receiver 25 for providing a "video output".

Note in Delmonaco, portable enclosure 30 (best shown in Fig. 2a); sensors 54 (including door sensor 34, see Fig. 2b and col. 5, line 35); associated transmitter 52, which may transmit sensor

Art Unit: 2632

signals "directly to on-duty security personnel" (col. 4, lines 35-39 and Abstract, lines 4-7), which personnel carry a receiver means in the form of a "radio" for receiving such signals (note "standard radio communications system", col. 2, lines 14-15); and "camera" 67 (see col. 2, line 42 and col. 4, lines 50-52), associated with the receiver/radio for providing a "video output".

6. Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Hall (US 4742236).

Note in Hall, portable carrying case 22; movement detector and transmitter 40; "panic" button and transmitter 42; receiver 46; programmable controller 48; and battery pack 52. Carrying case 22 in Figs. 1-2 defines a "kit" carrying the various components noted above (40-50) of the "portable security alarm" system; although only one "detector" 40 is shown in the case 22 in Fig. 2, Hall teaches that plural "intrusion detectors" may be carried in the case and used in the system (see lines 5-7 of the Abstract, col. 5, lines 44-46, etc); further, "panic" button/transmitter 42 is inherently a "remote control" in that it is able to remotely trigger activation of "alarm or warning output signals" from controller 48 (see e.g. col. 5, lines 44-46, 54-57 and 63-65).

7. Claims 20, 22-24 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Campman (US 5317305).

Note in Campman (Fig. 12, the Abstract, and col. 7, line 46 to col. 9, line 2), piezoelectric element 74; "flexible" diaphragm 70,76 (col. 8, lines 42-43 and 50-51); and mass 72. As to claim 22, as shown in Fig. 12 Campman teaches a "cantilever" arrangement for the sensor, mass 72 is (inherently) secured to diaphragm 70 by a "coupling connection", and the mass or coupling connection induces a "desired strain" in the piezoelectric element 74 through the cantilever coupling (76); also, Campman teaches that the sensor will "sense motion in all planes of movement" (col. 7, lines 52-54 and col. 8, lines 12-14), inherently including a "principal plane" of diaphragm 70. As to claims 23-24, in the configuration shown in Fig. 12 the mass 72 of Campman is inherently "unstable" (due at least in part to the cantilever arrangement) and "unbalanced" (i.e. not centered with respect to the overall sensor). As to claim 31, the sensor is associated with a device (sound transducer 132--see e.g. Fig. 6B) that is "activated or deactivated" thereby.

8. Claims 20-21 are rejected under 35 U.S.C. 102(b) as being anticipated by either Cameron (US 5811910) or Bruel (US 4189655).

Note in Cameron, piezoelectric element 25; "flexible" diaphragm 20 (col. 2, line 5); and mass 40. Note in Bruel (Fig. 2), piezoelectric element 6; "flexible" diaphragm 5 (col. 3, lines 59-61); and mass 11. As to claim 21, it is inherent in either reference that the mass is secured to one of the other elements by some type of "coupling connection", such that a "desired strain" is induced in the piezoelectric element (through flexing of the diaphragm) in response to orthogonal acceleration (see e.g. Figs. 4A-B in Cameron; in Bruel, it appears to be the specific intent to sense "orthogonal" accelerations, as opposed to e.g. a "rocking motion"--col. 3, lines 1-3).

9. Claim 30 is rejected under 35 U.S.C. 102(b) as being anticipated by Cameron.

Note further in Cameron, "pedestal" 30 (Fig. 3) with circular opening 31 over which diaphragm 20 is positioned (see col. 3, lines 4-9). Thus, pedestal 30 is a "support ring housing" (opening 31 forming a "support ring") to which diaphragm 20 is mounted and facilitates free flexing thereof.

10. Claim 32 is rejected under 35 U.S.C. 102(b) as being anticipated by Lemelson (US 4337462).

Note in Lemelson, accelerometers 16-18; vibrator sensor 22; transmitter 28; receiver 44; and speaker 56. Accelerometers 16-18 inherently serve as a "long wave motion sensor", and sensor 22 is a "vibration sensor", such that computer 24 separately receives--and distinguishes between--the "vibration events" and "long wave motion events" sensed by the different "sensors" (see col. 2, lines 31-51 and col. 3, lines 58-65).

11. Claims 2 and 4 are allowed. Claims 5-18 would be allowable if rewritten or amended to overcome the objection(s) under 37 CFR 1.75(a), set forth in this Office action. Claims 25-29 are objected to as being dependent upon a rejected base claim, but would be allowable if

Art Unit: 2632

rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

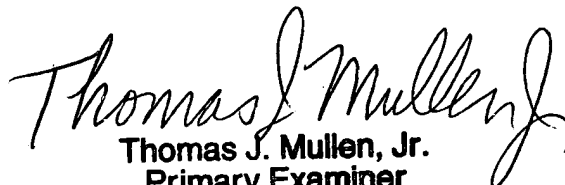
Hess (2002/113704), D'Angelo et al (US 5963131), Breed (US 2003/227382) and Hines (US 5200735) were cited in the parent ('518) application.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

TJM


Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 4575

SERIAL NUMBER 10/884,180	FILING DATE 07/02/2004 RULE	CLASS 340	GROUP ART UNIT 2632	ATTORNEY DOCKET NO. 2199-7
-----------------------------	---------------------------------------	--------------	------------------------	----------------------------------

APPLICANTS

Michael H. Script, Buffalo, NY;
 Henry J. Script, Buffalo, NY;

** CONTINUING DATA ***** *TM*
 This application is a CIP of 10/613,518 07/03/2003
 which is a CIP of 10/119,535 04/08/2002 PAT 6,828,909
 which is a CIP of 09/785,702 02/16/2001 PAT 6,542,078
 which is a CIP of 09/271,511 03/18/1999 PAT 6,215,396
 which is a CIP of 08/865,886 05/30/1997 ABN
 which claims benefit of 60/018,829 05/30/1996

** FOREIGN APPLICATIONS ***** *None TM*

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **
 ** 08/20/2004

Foreign Priority claimed 35 USC 119 (a-d) conditions met	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance <i>TM</i>	STATE OR COUNTRY NY	SHEETS DRAWING 37	TOTAL CLAIMS 32	INDEPENDENT CLAIMS 9
---	---	---------------------------	-------------------------	-----------------------	----------------------------

Verified and Acknowledged
 Examiner's Signature Initials

ADDRESS
 Walter W. Duft
 Suite 2
 8616 Main Street
 Williamsville, NY
 14221

TITLE
 Portable motion detector and alarm system and method

☐ All Fees

1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100
 101
 102
 103
 104
 105
 106
 107
 108
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525

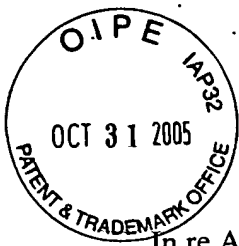
Thomas J. Mullen, Jr.

2632

SEARCHED			
Class	Subclass	Date	Examiner
340	546	5/25/2005	TM
	545.1		
	545.2		
	545.4		
	545.5		
	541		
	545.6		
	565		
	545.9		
	566		
	568.1		
	539.1		
	539.22		
	528		
	692		
	521		
	522		
	524		
	628		
	632		
	691.1		
	693.5		
	825.49		
310	311		
	321		
	324		
	326		
	328		
	348		
	367		
348	143,152,154,155		

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

[illegible]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHAEL H. SCRIPT ET AL.

SERIAL NO.: 10/884,180

FILED: July 2, 2004

FOR: PORTABLE MOTION DETECTOR AND
ALARM SYSTEM AND METHOD

Group Art Unit: 2632

Examiner: Thomas J. Mullen

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

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION

In response to the Office Action mailed on May 27, 2005, Applicants hereby amend the
subject application, as follows:

I hereby certify that this correspondence is being
deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope
addressed to: Commissioner for Patents, P. O. Box
1450, Alexandria, VA 22313-1450 on:

October 27, 2005
(Date)

Walter W. Dyft
(Applicant, Assignee, Registered Representative)

(Signature)

October 27, 2005
Date of Signature)

11/01/2005 STEUMEL1 00000057 10884180

02 FC:2201

100.00 OP

SPECIFICATION AMENDMENTS

Please amend the paragraph beginning on page 1, line 3, as follows:

This application is a continuation-in-part of application serial number 10/613,518, filed July 3, 2003 (now U.S. Patent No. 6,940,405), which is a continuation-in-part of application serial number 10/119,535, filed April 8, 2002 (now U.S. Patent No. 6,828,909), which is a continuation-in-part of application serial number 09/785,702, filed February 16, 2001 (now U.S. Patent No. 6,542,078), which is a continuation-in-part of application serial number 09/271,511, filed March 18, 1999 (now U.S. Patent No. 6,215,396), which is a continuation-in-part of application Serial No. 08/865,886, filed May 30, 1997 (now abandoned), which is based on provisional application serial number 60/018,829, filed May 30, 1996.

Please amend the paragraph beginning on page 29, line 1, as follows:

As will now be described with reference to the flow diagram of FIG. 22, it is very simple for a subscriber to provision each of their movement detecting and signal transmitting means 20 as these devices are attached to different objects. A network-attached computing device and a few moments of time to fill in an online form are all that is required. In step 290 of the provisioning process, the subscriber initiates contact with the computer host 261 and the latter establishes a communication session. In step 292, the computer host ~~260~~ 261 prompts the subscriber for registration information (e.g., user name and password) if they have an existing account, or to set up a new account if the subscriber is not yet registered. If, in step 294, the subscriber indicates that they need to set up a new account, the computer host 261 engages the subscriber in an account setup dialog in step 296. This will establish a record of such information as the subscriber's name, billing address, login name, password, and an authentication identifier associated with the subscriber's receiver means 30. The subscriber will preferably also be

requested to accept a subscription agreement. The computer host 261 will then create one or more account records in the subscriber database of the data storage resource 264, and if necessary, reserve storage space for the subscriber's provisioning information.

Please amend the paragraph beginning on page 33, line 11, as follows:

The gyroscope sensors 400A and 400B are mounted on a first component board 402, along with a communication module 404 and a battery pack 406 that comprises one or more batteries preferably producing about 3 volts DC or better. The gyroscope sensors 400A and 400B can be implemented using a Micro Gyro 100 gyroscopic sensor available from Gyration, Inc. of Saratoga, California. The communication module 404 may be implemented using the RF transmitter 4 of FIG. 9 or equivalent. It may also include the RF receiver 206 of FIG. 16 or equivalent. An integrated RF transmitter/receiver may also be used, such as the RFM TR100 916.5 MHz hybrid transceiver (up to 1 Mbps data rate) available from RF Monolithics, Inc. of Dallas, Texas. Alternatively, instead of an RF transceiver, the communication module ~~408~~ 404 could be constructed as an Infrared (IR) transceiver for "line-of-sight" communication with the receiver means 30. The battery pack 406 can be implemented using two 1.5 volt "AA" size batteries or equivalent.

Please amend the paragraph beginning on page 33, line 24, as follows:

A second component board ~~408~~ 410 carries a patch antenna ~~410~~ 412. The first component board 402 is overlaid onto the second component board ~~408~~ 410, and the combination is mounted into a suitable housing (not shown) that may be similar in shape to unit shown in FIGS. 7-8 comprising the casing 31 and the rear panel 66, albeit of smaller size insofar as there is no need for the retractable wire and magnet components.

Please amend the paragraph beginning on page 40, line 21, as follows:

An optional light emitting diode D1 may be incorporated in the circuit to provide a visual indication that the sensor unit 500 has been disturbed by a motion in excess of the established thresholds. It will be seen that FIG. 29B also shows components of the power supply ~~526~~ 556 that are used to provide the voltages "VA" and "VREF" used by the components of the sensing unit 550.

Please amend the paragraph beginning on page 42, line 20, as follows:

A security state code can also be sent by the receiver means 30 to indicate how the audio output should be generated. In particular, the receiver means 30 can be programmed so that each movement detecting and transmitting means 20 (as well as the environmental monitor 602) is assigned one of three distinct security states; ~~namely;~~ namely, "ANNOUNCE," "ALERT" and "ALARM." The security code sent by the receiver means 30 corresponds to the current security state of the movement detecting and transmitting means 20 (or environmental monitor 602) that was activated. The microprocessor 610 in the speaker system 600 uses the security state code to modify the speaker system's audio output according to the corresponding security state. For example, assume a movement detecting and signal transmitting means 20 is mounted on the back door of a premises. When the back door opens, the speaker system 600 might announce "BACK DOOR!" a single time if the movement detecting and signal transmitting means is currently assigned the "ANNOUNCE" state. In the "ALERT" state, the speaker system 600 might announce "BACK DOOR!" multiple times or repeatedly until instructed by the receiver means 30 to terminate the output. In the "ALARM" state, the speaker system 600 might announce "BACK DOOR!" repeatedly plus generate a siren output until instructed by the receiver means 30 to stop. In addition, the receiver means 30 will preferably initiate a security notification to a remote location, such as the security administration system 260 of FIG. 20.

Please amend the paragraph beginning on page 44, line 8, as follows:

The remote control unit 40 is shown in FIG. 30 to have three switches 27A, 27B and 27C.

The switch 27A can be used to provide the "PANIC" button described above in connection with FIG. 1. In particular, the alarm system 10 will immediately initiate an alarm response. The switch 27B can be used as a "HOLD" button that disarms the alarm system 10 for some period of time. For example, activating the switch 27B once could delay alarm activation for sixteen seconds, activating the switch 27B twice could delay alarm activation forty-eight seconds, and so on. The "HOLD" button can thus be used to allow entry into a premises without immediately triggering an alarm, and allowing sufficient time to disable the alarm system 10. The switch 27C can be used as an "AWAY" button that changes the mode of the alarm system 10 to an "ALARM" state (see below).

CLAIM AMENDMENTS

Claim 1 (cancelled).

Claim 2 (original): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, a receiver means for receiving said predetermined signal and providing a security response, and a remote control unit comprising a radio frequency identification circuit adapted to provide remote control unit identification information to said movement detecting and signal transmitting means, and said movement detecting and signal transmitting means being adapted to provide said remote control unit identification information along with said predetermined signal to said receiver means.

Claim 3 (cancelled).

Claim 4 (original): A security network comprising a security administration system and at least one portable security alarm system having a wireless receiver means and one or more wireless movement detecting and signal transmitting means for transmitting security information to said receiver means, said security administration system comprising a computer host programmed to respond to security alerts from said at least one portable security alarm system, and being further programmed to provide information to said at least one portable security alarm system, said information including one of security alert notifications from a governmental agency, advertising or other commercial information.

Claim 5 (currently amended): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising an inertial sensor that includes a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm.

Claim 6 (original): The system of claim 5 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that introduces a desired strain in said piezoelectric element through flexing of said diaphragm as said sensor is accelerated in a direction generally orthogonal to a principal plane of said diaphragm.

Claim 7 (original): The system of claim 5 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that is sized to introduce a desired strain in said piezoelectric element through a cantilever coupling moment as said sensor is accelerated in a direction generally parallel to a principal plane of said diaphragm.

Claim 8 (original): The system of claim 5 wherein said mass is unstable.

Claim 9 (original): The system of claim 5 wherein said mass is unstable and unbalanced.

Claim 10 (original): The system of claim 9 wherein said mass comprises a primary mass element that is attached to one of said piezoelectric element and said diaphragm, and a secondary mass element on said primary mass element.

Claim 11 (original): The system of claim 10 wherein said primary mass element is larger than said secondary mass element.

Claim 12 (original): The system of claim 10 wherein one or both of said primary mass and said secondary mass are generally spherical in shape.

Claim 13 (original): The system of claim 10 wherein said secondary mass element is on said primary mass element at a location that is offset from a line extending through said piezoelectric element and a center of gravity of said primary mass element.

Claim 14 (original): The system of claim 5 wherein said inertial sensor comprises a piezoelectric audio transducer having said mass secured thereto.

Claim 15 (original): The system of claim 5 wherein said inertial sensor comprises a support ring housing to which said diaphragm is mounted and which facilitates free-flexing of said diaphragm.

Claim 16 (currently amended): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising an inertial sensor that includes a piezoelectric element mounted to a diaphragm, and a mass on one of said piezoelectric element and said diaphragm, said sensor further including a main housing carrying said inertial sensor, a circuit board, a battery and means for affixing said movement detecting and signal transmitting means to said object.

Claim 17 (original): The system of claim 16 wherein said diaphragm is mounted to a ring housing that is attached via clips to said circuit board.

Claim 18 (original): The system of claim 16 wherein said means for affixing comprises adhesive.

Claim 19 (cancelled).

Claim 20 (currently amended): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm, said sensor further including a main housing carrying said piezoelectric element, said diaphragm and said mass, a circuit board, a battery and means for affixing said sensor to an object whose movement is to be detected.

Claim 21 (original): The sensor of claim 20 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that introduces a desired strain in said piezoelectric element through flexing of said diaphragm as said sensor is accelerated in a direction generally orthogonal to a principal plane of said diaphragm.

Claim 22 (original): The sensor of claim 20 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that is sized to introduce a desired strain in said piezoelectric element through a cantilever coupling moment as said sensor is accelerated in a direction generally parallel to a principal plane of said diaphragm.

Claim 23 (currently amended): ~~The sensor of claim 20~~ An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass secured to a principal planar surface of one of said piezoelectric element and said diaphragm, wherein said mass is unstable by virtue of having a center of gravity that is separated from said planar surface and by virtue of being secured to said piezoelectric element or said diaphragm by way of a cantilever coupling connection whose cross-sectional area is less than that of said mass.

Claim 24 (currently amended): ~~The sensor of claim 20~~ An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass secured to a principal planar surface of one of said piezoelectric element and said diaphragm, wherein said mass is unstable and unbalanced by virtue of having a center of gravity that is separated from said planar surface by virtue of being secured to said piezoelectric element or said diaphragm by way of a cantilever

coupling connection whose cross-sectional area is less than that of said mass, and by virtue of having an irregular non-symmetrical shape.

Claim 25 (currently amended): ~~The sensor of claim 24~~ An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm, wherein said mass is unstable and unbalanced and wherein said mass comprises a primary mass element that is attached to one of said piezoelectric element and said diaphragm, and a secondary mass element on said primary mass element.

Claim 26 (original): The sensor of claim 25 wherein said primary mass element is larger than said secondary mass element.

Claim 27 (original): The sensor of claim 25 wherein one or both of said primary mass and said secondary mass are generally spherical in shape.

Claim 28 (original): The sensor of claim 25 wherein said secondary mass element is on said primary mass element at a location that is offset from a line extending through said piezoelectric element and a center of gravity of said primary mass element.

Claim 29 (currently amended): ~~The sensor of claim 20~~ An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm, wherein said sensor comprises a piezoelectric audio transducer having said mass secured thereto.

Claim 30 (original): The sensor of claim 20 wherein said sensor comprises a support ring housing to which said diaphragm is mounted and which facilitates free-flexing of said diaphragm.

Claim 31 (original): The sensor of claim 20 in combination with a device that is activated or deactivated by said sensor.

Claim 32 (currently amended): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising a ~~long-wave~~ motion sensor that senses both vibratory and long-wave motion, a vibration sensor and control circuitry for distinguishing between a vibration event and a long-wave motion event.

REMARKS

Reconsideration is respectfully requested.

Responsive to paragraph 1 of the office action, page 1 of the specification has been amended to identify U.S. Patent No. 6,828,909 as having issued from grandparent application serial no. 10/119,535. U.S. Patent No. 6,940,405 is also identified as having issued from parent application serial no. 10/613,518. The specification has been further amended to correct miscellaneous errors, primarily relating to drawing reference numeral misidentifications.

Responsive to paragraph 2 of the office action, claims 5, 16 and 32 have been amended to add the word "of" so as to change "movement an" to "movement of an." Claims 1 and 3, which were also objected to on this ground, have been cancelled.

Responsive to paragraphs 3/4 of the office action, claim 1 has been cancelled.

Responsive to paragraphs 3/5 of the office action, claim 3 has been cancelled.

Responsive to paragraphs 3/6 of the office action, claim 19 has been cancelled.

Responsive to paragraphs 3/7 of the office action, claim 20 has been amended to incorporate limitations from claim 16 pertaining to a main housing carrying the piezoelectric element, the diaphragm and the mass, a circuit board, a battery and means for affixing the sensor to an object whose movement is to be detected. Campman does not disclose or suggest such an arrangement.

Claim 22 should be allowable based on the amendment to claim 20, from which it depends.

Claim 23 has been written in independent form to include the limitations of original claim 20. Claim 23 has also been amended to recite that the mass of the sensor is secured to a principal planar surface of one of the piezoelectric element and the diaphragm, and to further recite that the

mass is unstable by virtue of having a center of gravity that is separated from the planar surface and by virtue of being secured by way of a cantilever coupling connection whose cross-sectional area is less than that of the mass. Campman does not disclose or suggest such an arrangement.

Claim 24 has been written in independent form to include the limitations of original claim 20. Claim 24 has also been amended to recite that the mass of the sensor is secured to a principal planar surface of one of the piezoelectric element and the diaphragm, and to further recite that the mass is unstable and unbalanced by virtue of having a center of gravity that is separated from the planar surface, by virtue of being secured by way of a cantilever coupling connection whose cross-sectional area is less than that of the mass, and by virtue of having an irregular non-symmetrical shape. Campman does not disclose or suggest such an arrangement.

Claim 31 should be allowable based on the amendment to claim 20, from which it depends.

Responsive to paragraphs 3/8 of the office action, claim 20 has been amended to incorporate limitations from claim 16 pertaining to a main housing carrying the piezoelectric element, the diaphragm and the mass, a circuit board, a battery and means for affixing the sensor to an object whose movement is to be detected. Neither Cameron nor Bruel disclose or suggest such an arrangement.

Claim 21 should be allowable based on the amendment to claim 20, from which it depends.

Responsive to paragraphs 3/9 of the office action, claim 30 should be allowable based on the amendment to claim 20, from which it depends.

Responsive to paragraphs 3/10 of the office action, claim 32 has been amended to recite that the motion sensor senses both vibratory and long-wave motion, and that the control circuitry

receives corresponding respective vibratory and long-wave motion signals from the motion sensor and distinguishes between a vibratory motion event and a long-wave motion event. This language distinguishes over Lemelson's use of discrete motion sensors in order to sense vibration and long wave motion. As amended, the system of claim 32 calls for a single motion sensor that senses both vibration and long-wave motion, presents corresponding respective vibratory and long-wave motion signals to the control circuitry, and the control circuitry acts on the signals by distinguishing between the two types of motion. Lemelson does not disclose or suggest the amended subject matter of claim 32.

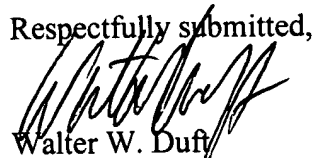
Responsive to paragraph 11 of the office action, the allowance of claims 2 and 4, and the potential allowability of claims 5-18 and 25-29 is noted. Claims 5-18 should now be allowable because the objection of paragraph 2 has been overcome. Claims 25-29 should also be allowable insofar as they have been rewritten in independent form to include the limitations of their respective base claims and any intervening claims.

An IDS is enclosed to make of record art cited in parent application serial no. 10/613,518.

A petition for a two-month extension of time is also enclosed.

Fees are being transmitted herewith to cover the net addition of one new independent claim, the extension of time petition, and the IDS.

Respectfully submitted,



Walter W. Duft
Attorney for Applicant
Registration No. 31,948

Law Offices of Walter W. Duft
8616 Main Street, Suite 2
Williamsville, New York 14221
Telephone: (716) 633-1930
Facsimile: (716) 633-1932



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/884,180	07/02/2004	Michael H. Script	2199-7	4575
7590	12/06/2005		EXAMINER	
Walter W. Duft Suite 2 8616 Main Street Williamsville, NY 14221			MULLEN, THOMAS J	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 12/06/2005

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

Office Action Summary

Application No.

10/884,180

Applicant(s)

SCRIPT ET AL.

Examiner

Thomas J. Mullen, Jr.

Art Unit

2632

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance 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.

Disposition of Claims

- 4) ☒ Claim(s) 2,4-18 and 20-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,4-18,23,25-29 and 32 is/are allowed.
- 6) ☒ Claim(s) 20,22 and 31 is/are rejected.
- 7) ☒ Claim(s) 21,24 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/31/05 (3 pp.).

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2632

1. The amendment filed 10/31/05 has been fully considered.

2. Claim 24 is objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 24 as amended, at the end of line 4 after "surface" should be inserted a comma.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 20, 22 and 31 remain rejected under 35 U.S.C. 102(b) as being anticipated by Campman (US 5317305).

Note in Campman (Fig. 12, the Abstract, and col. 7, line 46 to col. 9, line 2), piezoelectric element 74; "flexible" diaphragm 70,76 (col. 8, lines 42-43 and 50-51); and mass 72. Regarding the last 3 lines of claim 20 as amended, note Figs. 6A-6B in Campman; the Campman sensor further includes a "main" housing 24, which carries the components of the "sensor" per se (piezoelectric element 74, diaphragm 70,76 and mass 72) as shown in Fig. 6B, and further carries a circuit board 186 (Fig. 6B), a battery 44 (Fig. 6A), and "means (50) for affixing" the sensor to an object whose movement is to be detected (see Figs. 3-5 and col. 7, lines 1-6).

As to claim 22, as shown in Fig. 12 Campman teaches a "cantilever" arrangement for the sensor, mass 72 is (inherently) secured to diaphragm 70 by a "coupling connection", and the mass or coupling connection induces a "desired strain" in the piezoelectric element 74 through the cantilever coupling (76); also, Campman teaches that the sensor will "sense motion in all planes of movement" (col. 7, lines 52-54 and col. 8, lines 12-14), inherently including a "principal plane" of diaphragm 70.

As to claim 31, the sensor is associated with a device (sound transducer 132--see e.g. Fig. 6B) that is "activated or deactivated" thereby.

5. Claims 2, 4-18, 23, 25-29 and 32 are allowed. Claims 21 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form

Art Unit: 2632

including all of the limitations of the base claim and any intervening claims. Claim 24 would be allowable if rewritten or amended to overcome the objection(s) under 37 CFR 1.75(a), set forth in this Office action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The art cited by applicant is made of record.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

TJM


Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632

WALTER W. DUFT
PATENT ATTORNEY
8616 MAIN STREET, SUITE 2
WILLIAMSVILLE, NEW YORK 14221
(716) 633-1930 (VOICE)
(716) 633-1932 (FACSIMILE)
email: wduft@duftlawoffice.net

RECEIVED
CENTRAL FAX CENTER
MAR 06 2006

FACSIMILE TRANSMISSION
C-O-N-F-I-D-E-N-T-I-A-L

March 6, 2006

TO: THOMAS J. MULLEN

COMPANY: USPTO - GAU 2632

FAX NO: 571-273-8300

RE: SERIAL NO. 10/884,180 OF MICHAEL H. SCRIP FILED 7/2/2004

Our Reference No.: 2199-7

FROM: WALTER W. DUFT, REG. NO. 31,948

NUMBER OF PAGES INCLUDING COVER SHEET: 13

COMMENTS:

PLEASE SEE THE ATTACHED TRANSMITTED PAPERS:

1. TRANSMITTAL FORM
2. AMENDMENT AFTER FINAL REJECTION

MAR 06 2006

PTO/SB/21 (09-04)

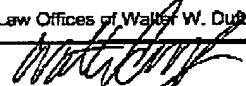
Approved for use through 07/31/2006. OMB 0651-0031


U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/884,180
	Filing Date	July 2, 2004
	First Named Inventor	Michael H. Script et al.
	Art Unit	2632
	Examiner Name	Thomas J. Mullen
Total Number of Pages in This Submission		Attorney Docket Number 2199-7

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Offices of Walter W. Duft		
Signature			
Printed name	Walter W. duft		
Date	March 6, 2006	Reg. No.	31,948

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Walter W. Duft	Date	March 6, 2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHAEL H. SCRIPT ET AL.

SERIAL NO.: 10/884,180

FILED: July 2, 2004

FOR: PORTABLE MOTION DETECTOR AND)
ALARM SYSTEM AND METHOD)

Group Art Unit: 2632

Examiner: Thomas J. Mullen

RECEIVED
CENTRAL FAX CENTER
MAR 06 2006

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

Sir:

AMENDMENT AFTER FINAL REJECTION

In response to the Office Action mailed on December 6, 2005, Applicants hereby amend the subject application, as follows:

I hereby certify that this correspondence is being transmitted via facsimile in accordance with 37 CFR 1.6(d) and 1.8 to the United States Patent and Trademark Office, to the attention of Examiner Thomas J. Mullen of Group Art Unit 2632 at (571) 273-8300, on:

March 6, 2006
(Date)

Walter W. Duft
(Applicant, Assignee, Registered Representative)

(Signature)

March 6, 2006
Date of Signature)

SPECIFICATION AMENDMENTS

Please delete the benefit claim set forth in the paragraph beginning on page 1, line 3, as follows:

~~This application is a continuation in part of application serial number 10/613,518, filed July 3, 2003 (now U.S. Patent No. 6,940,405), which is a continuation in part of application serial number 10/119,535, filed April 8, 2002 (now U.S. Patent No. 6,828,909), which is a continuation in part of application serial number 09/785,702, filed February 16, 2001 (now U.S. Patent No. 6,542,078), which is a continuation in part of application serial number 09/271,511, filed March 18, 1999 (now U.S. Patent No. 6,215,396), which is a continuation in part of application Serial No. 08/865,886, filed May 30, 1997 (now abandoned), which is based on provisional application serial number 60/018,829, filed May 30, 1996.~~

CLAIM AMENDMENTS

Claim 1 (cancelled).

Claim 2 (original): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, a receiver means for receiving said predetermined signal and providing a security response, and a remote control unit comprising a radio frequency identification circuit adapted to provide remote control unit identification information to said movement detecting and signal transmitting means, and said movement detecting and signal transmitting means being adapted to provide said remote control unit identification information along with said predetermined signal to said receiver means.

Claim 3 (cancelled).

Claim 4 (original): A security network comprising a security administration system and at least one portable security alarm system having a wireless receiver means and one or more wireless movement detecting and signal transmitting means for transmitting security information to said receiver means, said security administration system comprising a computer host programmed to respond to security alerts from said at least one portable security alarm system, and being further programmed to provide information to said at least one portable security alarm system, said information including one of security alert notifications from a governmental agency, advertising or other commercial information.

Claim 5 (previously presented): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising an inertial sensor that includes a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm.

Claim 6 (original): The system of claim 5 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that introduces a desired strain in said piezoelectric element through flexing of said diaphragm as said sensor is accelerated in a direction generally orthogonal to a principal plane of said diaphragm.

Claim 7 (original): The system of claim 5 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that is sized to introduce a desired strain in said piezoelectric element through a cantilever coupling moment as said sensor is accelerated in a direction generally parallel to a principal plane of said diaphragm.

Claim 8 (original): The system of claim 5 wherein said mass is unstable.

Claim 9 (original): The system of claim 5 wherein said mass is unstable and unbalanced.

Claim 10 (original): The system of claim 9 wherein said mass comprises a primary mass element that is attached to one of said piezoelectric element and said diaphragm, and a secondary mass element on said primary mass element.

Claim 11 (original): The system of claim 10 wherein said primary mass element is larger than said secondary mass element.

Claim 12 (original): The system of claim 10 wherein one or both of said primary mass and said secondary mass are generally spherical in shape.

Claim 13 (original): The system of claim 10 wherein said secondary mass element is on said primary mass element at a location that is offset from a line extending through said piezoelectric element and a center of gravity of said primary mass element.

Claim 14 (original): The system of claim 5 wherein said inertial sensor comprises a piezoelectric audio transducer having said mass secured thereto.

Claim 15 (original): The system of claim 5 wherein said inertial sensor comprises a support ring housing to which said diaphragm is mounted and which facilitates free-flexing of said diaphragm.

Claim 16 (previously presented): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising an inertial sensor that includes a piezoelectric element mounted to a diaphragm, and a mass on one of said piezoelectric element and said diaphragm, said sensor further including a main housing carrying said inertial sensor, a circuit board, a battery and means for affixing said movement detecting and signal transmitting means to said object.

Claim 17 (original): The system of claim 16 wherein said diaphragm is mounted to a ring housing that is attached via clips to said circuit board.

Claim 18 (original): The system of claim 16 wherein said means for affixing comprises adhesive.

Claim 19 (cancelled).

Claim 20 (currently amended): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass ~~on~~ secured to a central portion of a principal planar surface of one of said piezoelectric element and said diaphragm, said sensor further including a main housing carrying said piezoelectric element, said diaphragm and said mass, a circuit board, a battery and means for affixing said sensor to an object whose movement is to be detected.

Claim 21 (original): The sensor of claim 20 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that introduces a desired strain in said piezoelectric element through flexing of said diaphragm as said sensor is accelerated in a direction generally orthogonal to a principal plane of said diaphragm.

Claim 22 (original): The sensor of claim 20 wherein said mass is secured to said piezoelectric element or said diaphragm by way of a coupling connection that is sized to introduce a desired strain in said piezoelectric element through a cantilever coupling moment as said sensor is accelerated in a direction generally parallel to a principal plane of said diaphragm.

Claim 23 (previously presented): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass secured to a principal planar surface of one of said piezoelectric element and said diaphragm, wherein said mass is unstable by virtue of having a center of gravity that is separated from said planar surface and by virtue of being secured to said piezoelectric element or said diaphragm by way of a cantilever coupling connection whose cross-sectional area is less than that of said mass.

Claim 24 (currently amended): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass secured to a principal planar surface of one of said piezoelectric element and said diaphragm, wherein said mass is unstable and unbalanced by virtue of having a center of gravity that is separated from said planar ~~surface~~surface, by virtue of being secured to said piezoelectric element or said diaphragm by way of a cantilever coupling connection whose

cross-sectional area is less than that of said mass, and by virtue of having an irregular non-symmetrical shape.

Claim 25 (previously presented): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm, wherein said mass is unstable and unbalanced and comprises a primary mass element that is attached to one of said piezoelectric element and said diaphragm, and a secondary mass element on said primary mass element.

Claim 26 (original): The sensor of claim 25 wherein said primary mass element is larger than said secondary mass element.

Claim 27 (original): The sensor of claim 25 wherein one or both of said primary mass and said secondary mass are generally spherical in shape.

Claim 28 (original): The sensor of claim 25 wherein said secondary mass element is on said primary mass element at a location that is offset from a line extending through said piezoelectric element and a center of gravity of said primary mass element.

Claim 29 (previously presented): An inertial sensor comprising a piezoelectric element mounted to a flexible diaphragm, and a mass on one of said piezoelectric element and said diaphragm, wherein said sensor comprises a piezoelectric audio transducer having said mass secured thereto.

Claim 30 (original): The sensor of claim 20 wherein said sensor comprises a support ring housing to which said diaphragm is mounted and which facilitates free-flexing of said diaphragm.

Claim 31 (original): The sensor of claim 20 in combination with a device that is activated or deactivated by said sensor.

Claim 32 (previously presented): A portable security alarm system for detecting the movement of an object and providing information relative to said movement, said system comprising a movement detecting and signal transmitting means for detecting movement of an object and wirelessly transmitting a predetermined signal indicating movement of said object, and a receiver means for receiving said predetermined signal and providing a security response, said movement detecting and signal transmitting means comprising a motion sensor that senses both vibratory and long-wave motion and control circuitry for distinguishing between a vibration event and a long-wave motion event.

REMARKS

Reconsideration is respectfully requested.

In the Office Action, claim 24 was objected to under 37 C.F.R. 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 20, 22 and 31 were rejected under 35 U.S.C. 102(b) as being anticipated by Campman (US 5317305). Claims 2, 4-18, 25-29 and 32 were allowed. Claims 21 and 30 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent.

By the present amendment, the specification has been amended to remove the benefit claim to parent application serial no. 10/613,518 (now U.S. Patent No. 6,940,405). Therefore, the effective filing date of the subject application is its actual filing date of July 2, 2004.

Responsive to the objection under 37 C.F.R. 1.75(a), claim 24 has been amended to add a comma after "surface" on line 4.

Responsive to the anticipation rejection under 35 U.S.C. 102, claim 20 has been amended to recite that the mass is "... secured to a central portion of a principal planar surface of one of said piezoelectric element and said diaphragm" This arrangement is distinct from Campman's design shown in Figs. 12 and 15 wherein the weighted ball 72 is mounted at the tip of an elongate metal strip 70 that extends from a metal lever arm 76 that itself is attached to a rigid base 78. Campman's ball 72 appears to be mounted in this fashion in order to maximize its torque on the combined strip 70 and lever arm 76. There is no teaching or suggestion of mounting the ball 72 to a central portion of a principal planar surface of either the piezo material 74 or the metal strip 70.

Claims 22 and 31 should be allowable based on the amendment to claim 20, from which they depend.

Respectfully submitted,



Walter W. Duft

Attorney for Applicant

Registration No. 31,948

Law Offices of Walter W. Duft
8616 Main Street, Suite 2
Williamsville, New York 14221
Telephone: (716) 633-1930
Facsimile: (716) 633-1932



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/884,180	07/02/2004	Michael H. Script	2199-7	4575

7590 03/16/2006

Walter W. Duft
Suite 2
8616 Main Street
Williamsville, NY 14221

EXAMINER

MULLEN, THOMAS J

ART UNIT	PAPER NUMBER
----------	--------------

2632

DATE MAILED: 03/16/2006

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

8

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/884,180	Applicant(s) SCRIPT ET AL.	
	Examiner Thomas J. Mullen, Jr.	Art Unit 2632	

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

THE REPLY FILED 06 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Attached. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☒ Newly proposed or amended claim(s) 24 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 2,4-18,23,25-29 and 32.

Claim(s) objected to: 21,24 and 30.

Claim(s) rejected: 20,22 and 31.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

Art Unit: 2632

New Issues

The amendment to claim 20 raises a new issue that would require further consideration and/or a further search.

Deleting the paragraph from page 1 of the specification, so as to "remove the benefit claim" under 35 U.S.C. 120 of the prior related applications (10/613,518, etc.), raises a new issue in that a further search and further consideration would be required of all the prior art having an effective date between the filing date of the earlier applications (which one or more claims of the present application may otherwise be entitled to) and the filing date of the present application, including applicant's own prior patents; note that applicant's earlier U.S. patents 6542078 and 6215396 would then qualify as prior art under 35 U.S.C. 102(b).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM


Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHAEL H. SCRIPT ET AL.

SERIAL NO.: 10/884,180

FILED: July 2, 2004

FOR: PORTABLE MOTION DETECTOR AND
ALARM SYSTEM AND METHOD

Group Art Unit: 2632

Examiner: Thomas J. Mullen

RECEIVED
CENTRAL FAX CENTER
MAR 06 2006Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

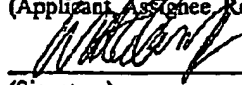
AMENDMENT AFTER FINAL REJECTION

In response to the Office Action mailed on December 6, 2005, Applicants hereby amend
the subject application, as follows:

I hereby certify that this correspondence is being
transmitted via facsimile in accordance with 37 CFR
1.6(d) and 1.8 to the United States Patent and
Trademark Office, to the attention of Examiner
Thomas J. Mullen of Group Art Unit 2632 at (571)
273-8300, on:

March 6, 2006
(Date)

Walter W. Duft
(Applicant, Assignee, Registered Representative)


(Signature)

March 6, 2006
(Date of Signature)



RCE
IPW

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/884,180
Filing Date	July 2, 2004
First Named Inventor	Michael H. Script
Art Unit	2632
Examiner Name	Thomas J. Muller
Attorney Docket Number	2199-7

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☒ Other Amendment After Final Rejection Filed March 6, 2006

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. _____

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 395.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Walter W. Duft	Registration No. (Attorney/Agent)	31,948
Signature		Date	April 3, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Walter W. Duft	Date	April 3, 2006
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

04/06/2006 NNGUYEN1 00000043 10884180

395.00 DP

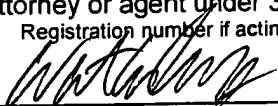
01 FC:2801

02 FC:2251

ADT/FrontPoint EX-1004



Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 2199-7	
Application Number 10/884,180		Filed 7/2/2004	
For Portable Motion Detector And Alarm System And Method			
Art Unit 2632		Examiner Thomas J. Muller	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <u>60.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____ I have enclosed a duplicate copy of this sheet.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
		04/06/2006 HNGUYEN1 00000043 10884180	
		01 FC:2801	385.00 OP
		02 FC:2251	60.00 OP
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>31,948</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 _____ Signature		<u>April 3, 2006</u> _____ Date	
Walter W. Duft _____ Typed or printed name		716-633-1930 _____ Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHAEL H. SCRIPT ET AL.

SERIAL NO.: 10/884,180

FILED: July 2, 2004

FOR: PORTABLE MOTION DETECTOR AND
ALARM SYSTEM AND METHOD

Group Art Unit: 2632

Examiner: Thomas J. Mullen

RECEIVED
CENTRAL FAX CENTER

MAR 05 2006

ANE.I

04/06/06

RCE

Filed

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

Sir:

AMENDMENT AFTER FINAL REJECTION

In response to the Office Action mailed on December 6, 2005, Applicants hereby amend
the subject application, as follows:

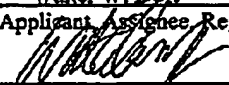
I hereby certify that this correspondence is being
transmitted via facsimile in accordance with 37 CFR
1.6(d) and 1.8 to the United States Patent and
Trademark Office, to the attention of Examiner
Thomas J. Mullen of Group Art Unit 2632 at (571)
273-8300, on:

March 6, 2006

(Date)

Walter W. Duft

(Applicant, Assignee, Registered Representative)


(Signature)March 6, 2006

Date of Signature)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

05/10/2006

Walter W. Duft
Suite 2
8616 Main Street
Williamsville, NY 14221

EXAMINER

MULLEN, THOMAS J

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 05/10/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/884,180	07/02/2004	Michael H. Script	2199-7	4575
TITLE OF INVENTION: PORTABLE MOTION DETECTOR AND ALARM SYSTEM AND METHOD				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	08/10/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

05/10/2006

Walter W. Duft
 Suite 2
 8616 Main Street
 Williamsville, NY 14221

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/884,180	07/02/2004	Michael H. Script	2199-7	4575

TITLE OF INVENTION: PORTABLE MOTION DETECTOR AND ALARM SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	08/10/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
MULLEN, THOMAS J	2612	340-545100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/884,180	07/02/2004	Michael H. Script	2199-7	4575
7590	05/10/2006		EXAMINER	
			MULLEN, THOMAS J	
			ART UNIT	PAPER NUMBER
			2612	
DATE MAILED: 05/10/2006				

Walter W. Duft
Suite 2
8616 Main Street
Williamsville, NY 14221

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/884,180

Examiner

Thomas J. Mullen, Jr.

Applicant(s)

SCRIPT ET AL.

Art Unit

2612

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE and amendment filed 4/6/06.
2. ☒ The allowed claim(s) is/are 2,4-18 and 20-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 2612

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Walter Duft on 5/4/06.

IN THE SPECIFICATION

Page 1, line 2, the heading "Cross-Reference to Related Applications" has been deleted.

2. The following is an examiner's statement of reasons for allowance:

As noted by applicant (in remarks associated with the amendment filed 4/6/06), the removal of the priority claim under 35 U.S.C. 120--which had referred to, and claimed the earlier effective date of, applicant's prior copending applications--causes the present application to have an effective date of 7/2/04, the filing date of the present application; as a result, applicant's prior patents US 6215396 and US 6542078 qualify as prior art under 35 U.S.C. 102(b). (Of course, other prior art having "intervening" effective dates would also now be potentially applicable to the claims in the present application.) Each of the prior '396 and '078 patents substantially teaches the "portable security alarm system" of claim 2 herein, except for failing to teach that the remote control unit is provided with "identification information" and transmits it to the movement detecting/signal transmitting means, and that the latter means likewise is provided with "identification information" and transmits it to the receiver means (associated with each of the remote control unit and the signal transmitting means). It is considered that there is no motivation or express teaching found in the prior art of record that would render it obvious to provide identification signals between these elements in the '396 or '078 patents, in the manner claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2612

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Script (US 6542078), Dowens et al (US 6693530), Naidoo et al (US 6658091), Wang (US 6946959), Woods (US 6087936), Petersen (US 4227188), Yamamoto (US 4479114), Daniels (US 4319228) and Anders et al (US 4656463) are cited to further show the state of the art.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM


THOMAS MULLEN
PRIMARY EXAMINER
AU 2612