

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 13/729,872 Confirmation No.: 7200  
Applicant : Lawrence Richman  
Filing Date : 12/28/2012  
Title : SYSTEM FOR REAL TIME SECURITY MONITORING  
Group Art Unit : 2681  
Examiner : Phung Nguyen  
Docket No. : 29940.4013  
Customer No. : 34313

EFS Web  
Commissioner for Patents

**RESPONSE TO OFFICE ACTION**

Madame:

In response to the Office Action dated November 14, 2013, please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2.

**Remarks/Arguments** begin on page 5.

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Original) A security system, comprising:  
a checkpoint configured to receive signals transmitted from a plurality of sensor devices configured to detect conditions at a site, wherein the checkpoint comprises a checkpoint data processing subsystem configured to monitor the signals from the plurality of sensor devices; and  
a headquarters processor configured to receive the signals from the checkpoint and to process the signals to determine if an event has occurred.
2. (Original) The security system of claim 1, wherein the headquarters processor is configured to process the signals to determine whether to perform an action.
3. (Original) The security system of claim 2, wherein the headquarters processor is configured to perform the action of notifying a human guard of the event.
4. (Original) The security system of claim 2, wherein the headquarters processor is configured to perform the action of sending instructions to a human guard.
5. (Original) The security system of claim 1, further comprising a base station configured to remotely transmit the signals from the site for receipt by the headquarters processor.
6. (Original) The security system of claim 1, wherein at least one of the sensor devices is configured to be controlled and monitored through wireless communication protocols.
7. (Original) The security system of claim 1, wherein at least one of the sensor devices is configured to be controlled and monitored through hard-wired communication protocols.
8. (Original) The security system of claim 1, wherein at least one of the sensor devices is associated with at least one of a motion-sensing device, a radio frequency tracking

device, a fire or smoke detecting device, an audio system or a video camera system for transmitting or analyzing auditory or visual signals, a climate control system, a heating ventilation and air conditioning system, an elevator device, and an energy sensing device.

9. (Original) The security system of claim 1, wherein at least one of the sensor devices is associated with an identification tracking device.

10. (Original) The security system of claim 9, wherein the identification tracking device is configured to communicate via a global positioning satellite system.

11. (Original) The security system of claim 9, wherein the sensor device is coupled to a hand-held computer.

12. (Original) The security system of claim 1, wherein the headquarters processor is configured to process the signals to determine if the event has occurred for facilitating at least one of supervision by a human guard, situation analysis by a human guard, intervention by a human guard, and decision making regarding security countermeasures by a human guard.

13. (Original) A security system, comprising:  
a sensor device configured to detect conditions at a site and provide signals indicative of the conditions detected, and  
a headquarters processor configured to receive the signals from the sensor device, wherein the headquarters processor is configured to process the signals to determine an action to be taken if an event has occurred,  
wherein the action includes at least one of notifying a human guard of the event and sending instructions to a human guard.

14. (Original) The security system of claim 13, further comprising a base station configured to remotely transmit the signals from the site for receipt by the headquarters processor.

15. (Original) The security system of claim 14, wherein the base station is configured to translate the signals from the sensor into a universal language.

16. (Original) The security system of claim 15, wherein translation of the signals to the universal language includes encryption.

17. (Original) A security system, comprising: a sensor configured to detect conditions at a site;

a checkpoint at the site configured to receive signals transmitted from the sensor device that are indicative of the conditions detected, the checkpoint comprising a data processing subsystem configured to remotely monitor signals from the sensor device; and

a headquarters processor configured to receive signals transmitted from the checkpoint and to process the signals to determine if an event has occurred.

18. (Original) The security system of claim 17, wherein the headquarters processor is configured to process the signals to determine an action to be taken if the event has occurred.

19. (Original) The security system of claim 17, further comprising a base station configured to remotely transmit the signals from the site for receipt by the headquarters processor.

## **REMARKS/ARGUMENTS**

### **I. Status of Claims**

No claims are added, canceled, or amended. Accordingly, original claims 1-19 are pending and under examination.

### **II. Rejection for Obviousness-Type Double Patenting**

Claims 1-19 stand rejected on the ground of nonstatutory obviousness-type double patenting over various claims of U.S. Patent Nos. 8,174,378 and 7,990,268. Terminal disclaimers to each of the subject patents are filed herewith. Accordingly, these rejections are traversed and should be withdrawn.

### **III. Rejections under 35 USC §102**

Claims 1-8, 12-14 and 17-19 stand rejected under 35 USC §102(e) as allegedly anticipated by Naidoo et al. (U.S. 8,520,068; “Naidoo”). Specifically, the Examiner alleges that Naidoo discloses a security system comprising one or more sensors (“sensors 105” in Naidoo), a checkpoint (“security gateway 115” in Naidoo), and a headquarters processor (“security system server 131” in Naidoo) configured in the matter specified in the present claims. Applicant respectfully disagrees. As discussed in more detail below, the Naidoo system is not configured in the same way as specified in the rejected claims.

Independent claim 1 is directed to a security system comprising checkpoint configured to receive signals from a plurality of sensors, and a headquarters processor configured to receive signals from the checkpoint and to process those signals to determine if an event has occurred. Independent claim 13 is directed to a security system comprising at least one sensor and a headquarters processor configured to receive signals from the sensor(s) and to process those signals to determine if an event has occurred. Independent claim 17 is directed to a security system comprising a sensor, a checkpoint configured to receive signals from the sensor, and a headquarters processor configured to receive signals from the checkpoint and to process those signals to determine if an event has occurred. Thus, it is a requirement in each and every claim

that the processing of the sensor data (to determine whether an event has occurred) is performed by the headquarters processor.

In contrast, the Naidoo system performs the sensor data processing at the checkpoint level and, if an alarm is triggered, transmits the alarm information to the headquarters computer. Naidoo describes the disclosed system as follows:

Generally, security gateway 115 is a processor-based device that functions to detect alarm conditions at a target site, to capture information relating to such alarm conditions, and upon occasion of an alarm condition to send such information ultimately to security system server 131 for verification and response.

Naidoo et al. at 7:22-27 (emphasis added); cited in Office Action at p. 3.

Thus, in the Naidoo system, the sensor signals are processed by the security gateway 115 to determine whether an alarm event has occurred. The alarm signal is then sent to the security system server 131. Further support for the requirement in the Naidoo system that the sensor signals are processed by, and alarms triggered at, the security gateway 115 is found consistently throughout Naidoo. For example, Naidoo states:

Whether separate alarm sensors 105 are present or not, security gateway 115 may use video from video camera 112 to assist in the determination of whether an alarm condition exists and thereby whether to generate and send an alarm signal to the security system server 131.

Naidoo et al. at 7: 60-64 (emphasis added).

In another embodiment, security gateway 115 may analyze images from camera 112 and audio sound from an audio sensor 105 to detect an alarm condition.

Naidoo et al. at 8: 1-4.

Any alarm notification and video information sent by security gateway 115 is transmitted to the security system server 131 at the data center 132.

Naidoo et al. at 10: 22-24 (emphasis added); cited in Office Action at page 3.

After receiving alarm notification 520, security system server 131 relays the notification to one or more monitoring clients 133.

Naidoo et al. at 13: 63-65; cited in Office Action at page 3.

In sum, the Naidoo system clearly processes the sensor data at the security gateway 115 (checkpoint) to determine whether a particular event has occurred and an alarm should be triggered. It is the alarm information that is then sent to the security system server 131 and data center 132 (headquarters processor) for further action. In contrast to the Naidoo system, each of the rejected independent claims requires that the checkpoint merely transmit the sensor data to the headquarters processor and it is at the headquarters processor that the sensor data is process to determine if an event has occurred (i.e., whether an alarm condition exists).

Naidoo fails to teach every element of the claims and therefore cannot anticipate those claims. This rejection is traversed and should be withdrawn.

#### **IV. Rejections under 35 USC §103**

Claims 9-11 and 15-16 are rejected under 35 USC § 103(a) as allegedly obvious over Naidoo in view of Monroe (U.S. 6,545,601; “Monroe”). Applicant respectfully traverses this rejection.

As discussed above, Naidoo is deficient as a primary reference because it fails to teach or suggest a security system in which the headquarters processor evaluates the sensor signals in order to determine if an event has occurred (i.e., whether an alarm condition exists). Instead, the Naidoo system performs the processing of sensor signals, and determines whether an alarm condition exists at the security gateway 115 (checkpoint). Monroe does not remedy this deficiency, nor is it so asserted by the Examiner. Instead, the Examiner relies on Monroe as disclosing (i) an identification tracking device and (ii) translating sensor signals into a universal language. Accordingly, the combination of Naidoo and Monroe fails to teach or suggest every element of the present claims. This rejection is traversed and should be withdrawn.

#### **V. Conclusion**

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 852-7715.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: March 14, 2014

By: /Anthony C. Kuhlmann/  
Anthony C. Kuhlmann, Ph.D.  
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
29940.4013

In re Application of: Richman Technology Corporation

Application No.: 13/729,872

Filed: December 28, 2012

For: System for Real Time Security Monitoring

The owner\*, Richman Technology Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 7,990,268 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 57,147

/Anthony C. Kuhlmann, Ph.D./

Signature

March 14, 2014

Date

Anthony C. Kuhlmann, Ph.D.

Typed or printed name

949/852-7715

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. 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 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
29940.4013

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Application No.: 13/729,872

Filed: December 28, 2012

For: System for Real Time Security Monitoring

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 57,147

/Anthony C. Kuhlmann, Ph.D./

Signature

March 14, 2014

Date

Anthony C. Kuhlmann, Ph.D.

Typed or printed name

949/852-7715

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13729872			
<b>Filing Date:</b>	28-Dec-2012			
<b>Title of Invention:</b>	SYSTEM FOR REAL TIME SECURITY MONITORING			
<b>First Named Inventor/Applicant Name:</b>	Lawrence Richman			
<b>Filer:</b>	Anthony Charles Kuhlmann/Sally Hartwell			
<b>Attorney Docket Number:</b>	29940.4013			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 1 month with \$0 paid	2251	1	100	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	2	160	320
Total in USD (\$)				420

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	18483737
<b>Application Number:</b>	13729872
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7200
<b>Title of Invention:</b>	SYSTEM FOR REAL TIME SECURITY MONITORING
<b>First Named Inventor/Applicant Name:</b>	Lawrence Richman
<b>Customer Number:</b>	34313
<b>Filer:</b>	Anthony Charles Kuhlmann/Sally Hartwell
<b>Filer Authorized By:</b>	Anthony Charles Kuhlmann
<b>Attorney Docket Number:</b>	29940.4013
<b>Receipt Date:</b>	14-MAR-2014
<b>Filing Date:</b>	28-DEC-2012
<b>Time Stamp:</b>	18:18:12
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$420
RAM confirmation Number	7356
Deposit Account	150665
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:  
Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment Copy Claims/Response to Suggested Claims	Amendment.pdf	108240 f3bc65bdf824ed7ba122ae7c1f4e445182f417db	no	8
Warnings:					
Information:					
2	Statutory disclaimers per MPEP 1490.	TD7990268.pdf	153253 9fcb9533779866c43fa23d7c54d591cfb612811d	no	2
Warnings:					
Information:					
3	Statutory disclaimers per MPEP 1490.	TD8350698.pdf	149766 2f6361fb36f0df2f7df871881b55505597db9a3f	no	2
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	31988 89cce84550eac44790c4dc59c10e724b7e5dae0f	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			443247		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>            If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>            If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>            If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>13/729,872</b>	Filing Date <b>12/28/2012</b>	<input type="checkbox"/> To be Mailed
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ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO**APPLICATION AS FILED – PART I**

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

**APPLICATION AS AMENDED – PART II**

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	03/14/2014	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X \$40 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$210 =	0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						<b>0</b>	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	Minus	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
TOTAL ADD'L FEE						

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
/MARCIA GORDON/

This collection of information is required by 37 CFR 1.16. 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: 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.