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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* LANCE WESTON, PIOTR ROMANCZYK, and TONY LI

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Appeal 2015-007877  
Application 10/818,413  
Technology Center 2400

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Before: JOSEPH L. DIXON, ERIC S. FRAHM, and  
JENNIFER L. MCKEOWN, *Administrative Patent Judges*.

DIXON, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants<sup>1</sup> appeal under 35 U.S.C. § 134(a) from a rejection of claims 1–5, 7, and 9–19. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

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<sup>1</sup> Appellants indicate that the real party in interest is Honeywell International, Inc.

The claims are directed to a camera theft detection system. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A method for storing image data from at least one camera, comprising:

monitoring a communication path of the at least one camera to determine whether a signal of the at least one camera is present on the communication path by determining whether a static code of the signal is present on the communication path at periodic intervals defined by a predetermined wait time;

receiving images from the signal of the at least one camera via the communication path when the signal of the at least one camera is present on the communication path;

storing the received images in a first storage location; and

copying the received images that is stored in the first storage location to a second storage location when the monitoring determines that the static code of the signal of the at least one camera is no longer present on the communication path.

#### REFERENCES

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Miyaji et al.	US 4,320,414	Mar. 16, 1982
Reese	US 5,583,796	Dec. 10, 1996
Voois	US 6,121,998	Sept. 19, 2000
Tausig et al.	US 2002/0184459 A1	Dec. 5, 2002
Enright et al.	US 6,583,813 B1	June 24, 2003

#### REJECTIONS

The Examiner made the following rejections:

Claims 1, 3–5, 11, 13–15, 17, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyaji in view of Reese.

Claims 2, 12, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyaji in view of Reese and further in view of Tausig.

Claims 7 and 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyaji in view of Reese and further in view of Voois.

Claims 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyaji in view of Reese and further in view of Enright.

### ANALYSIS

With respect to claims 1, 3–5, 11, 13–15, 17, and 18, Appellants argue the claims together. (App. Br. 8). As a result, we select independent claim 1 as the representative claim for the group and address Appellants’ arguments thereto. Appellants repeat the language of the claim and contend:

the specification provides numerous examples of static codes (e.g., EAV code, SAV code, etc.). Since the specification provides explicit examples of static codes and their use and the claims are explicitly limited to static codes, it is improper to ignore this feature of the claims. Static codes and their claimed use are not disclosed by Miyaji et al. or Reese.

(App. Br. 9).

The Examiner finds the Specification does not positively identify the code as a “static code,” and because of that, the code as disclosed and claimed by the Appellants is treated as any normal code and is equivalent to “‘status information, in a predetermined coded signal’ as disclosed in Reese.” (Ans. 4).

In Appellants’ Reply Brief, Appellants quote the Examiner’s Answer, and Appellants advance the same argument set forth in the Appeal Brief that the status information of the Reese reference is not a “static code” as recited in the language of the claims. (Reply Br. 2–6). We find Appellants’

argument unavailing. We find no written description support or definition for the “static code” and the disclosed examples do not necessarily define the claim term. As a result, the Examiner’s interpretation is within the broadest reasonable interpretation of the claim terminology as explained by the Examiner. (Final Act. 5–6).

As a result, Appellants’ reliance upon the specific examples recited in the Specification does not necessarily limit the context of the claimed “static code.” We agree with the Examiner that the teaching of the Reese reference regarding:

In one method of failure detection, the main switching control unit 14' is pre-programmed to periodically transmit **status information, in a predetermined coded signal**, on communication link 80. The CPU 66 monitors the periodic status transmissions and determines whether the status information is incorrect, absent, or otherwise indicative of a malfunction

(Final Act. 5 *citing* Reese col. 10) teaches and fairly suggest the use of a “static code” regarding the status of the system. Therefore, we find Appellants’ argument does not show error in the Examiner’s underlying factual findings and the ultimate conclusion of obviousness of representative independent claim 1 and independent claims 11 and 15 and dependent claims 2–5, 7, 9, 10, 12–14, and 16–19 not separately argued.

#### CONCLUSION

The Examiner did not err in rejecting independent claim 1 based upon obviousness under 35 U.S.C. § 103.

#### DECISION

For the above reasons, we sustain the Examiner’s rejections of claims 1–5, 7, and 9–19.

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Application 10/818,413

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED