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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte GARY D. CUDAK, LYDIA M. DO,
CHRISTOPHER J. HARDEE, and ADAM ROBERTS

Appeal 2015-008311
Application 13/905,089
Technology Center 2600

Before STEPHEN C. SIU, NATHAN A. ENGELS, and SCOTT E. BAIN,
Administrative Patent Judges.

SIU, *Administrative Patent Judge*

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

The disclosed invention relates generally to processing a facsimile. Spec. ¶ 0002. Independent claim 1 reads as follows:

1. A method of facsimile requirements monitoring during facsimile transmission of a form, the method comprising:
loading a document directed for facsimile transmission by a facsimile data processing system;

identifying within the document a facsimile requirement that a particular location within the document include end user supplied data;
determining whether or not the particular location specified by the facsimile requirement includes end user supplied data; and,
generating an error message in the facsimile data processing system responsive to a determination that the particular location lacks any end user supplied data.

The Examiner rejects claims 1, 3, 6, 8, 10, 13, 14, 16, and 19 under 35 U.S.C. § 103(a) as unpatentable over Wolff (US 7,289,685 B1, issued Oct. 30, 2007) and Parry (US 2005/0231746 A1, published Oct. 20, 2005); claims 2, 7, 9, 15, and 20 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Salgado (US 2002/0122189 A1, published Sept. 5, 2002); claims 4, 11, and 17 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Horikawa '502 (US 2008/0291502 A1, published Nov. 27, 2008); and claims 5, 12, and 18 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Hikawa '779 (US 5,051,779, issued Sept. 24, 1991).

ISSUE

Did the Examiner err in rejecting claims 1–20?

ANALYSIS

Claim 1 recites identifying within the document a facsimile requirement that a particular location within the document include end user supplied data and generating an error message in the facsimile data

processing system responsive to a determination that the particular location lacks any end user supplied data. The Examiner finds that Parry discloses this feature. Ans. 23–24. We agree with the Examiner.

For example, Parry discloses a document with “one or more predetermined insertion fields” in which “each predetermined insertion field is to have text and/or object(s) inserted therein, where the text and/or object(s) . . . will be input by the user.” Parry ¶ 102. Parry discloses a requirement that a particular location within the document include end user supplied data because the “text and/or object(s)” of Parry are “input by the user” (i.e., data supplied by the end user) and the document includes each predetermined insertion field that “is to have” the text/object(s) (i.e., a “requirement” that the data must be entered into the fields).

We also agree with the Examiner’s finding that Parry teaches generating an error message responsive to determining that the location lacks end user supplied data. For example, Parry discloses a “test for a valid insertion to be made into the predetermined insertion fields” and that “an invalid input for insertion will result in a diagnostic that is displayed.” Parry ¶ 103. In other words, Parry discloses generating an error message (i.e., “a diagnostic”) responsive to a determination that the “particular location” in the document (that “is to have,” or requires, the text/object(s)) lacks any end user supplied data (i.e., an invalid input for insertion).

Appellants argue that the “Examiner admits at pages 5 and 6 of the Examiner’s Answer that it is Wolff and not Parry that Examiner relies upon

for the disputed claim limitation[s]” and that Wolff supposedly does not disclose or suggest the disputed claim features. App. Br. 5–8, Reply Br. 3–7. Appellants, however, do not dispute the Examiner’s explicit findings that Parry teaches the disputed claim features. *See, e.g.*, Ans. 23–24. Hence, we are not persuaded by Appellants’ arguments that the combination of Wolff and Parry fails to teach or suggest the disputed claim features.

Appellants do not provide additional arguments in support of the other claims under appeal or arguments with respect to Salgado, Horikawa ’502, or Hikawa ’779. App. Br. 8–9. The Examiner did not err in rejecting claims 1–20.

SUMMARY

We affirm the Examiner’s rejection of claims 1–20 under 35 U.S.C. § 103(a) as unpatentable over Wolff and Parry; claims 2, 7, 9, 15, and 20 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Salgado; claims 4, 11, and 17 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Horikawa ’502; and claims 5, 12, and 18 under 35 U.S.C. § 103(a) as unpatentable over Wolff, Parry, and Hikawa ’779.

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