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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ANDREW CILIA and ROBERT V. VANMAN

Appeal 2018-003829
Application 14/254,384¹
Technology Center 2400

Before ELENI MANTIS MERCADER, NORMAN H. BEAMER, and
ADAM J. PYONIN, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 17–19, 21, and 35–46. We have jurisdiction over the pending rejected claims under 35 U.S.C. § 6(b).

We affirm.

¹ Appellants identify WatchGuard, Inc. as the real party in interest. (App. Br. 3.)

THE INVENTION

Appellants' disclosed and claimed invention is directed to video-recording systems that include split-screen video displays for use with law-enforcement vehicles. (Spec. 1:15–17.)

Independent claim 17, reproduced below, is illustrative of the subject matter on appeal:

17. A system comprising:

a first camera operable to capture omnidirectional images and send an omnidirectional-image data stream representing the omnidirectional images;

a second camera operable to capture narrow-view images and send a narrow-view-image data stream representing the narrow-view images; and

a video processor coupled to the first camera and the second camera and operable to, as the omnidirectional-image data stream and the narrow-view-image data stream are received:

identify a relevant image portion of at least one of the omnidirectional-image data stream and the narrow-view-image data stream and remove image data that is not contained within the relevant image portion;

form a combined-image data stream using at least part of the omnidirectional-image data stream and at least part of the narrow-view-image data stream; and

wherein the combined-image data stream replaces the removed image data with other image data selected from at least one of the omnidirectional-image data stream and the narrow-view-image data stream, wherein the other image data comprises image data that is exclusive of the removed image data.

REJECTION

The Examiner rejected claims 17–19, 21, and 35–46 under 35 U.S.C. § 103(a) as being unpatentable over Griffith et al. (US 2010/0238327 A1, pub. Sept. 23, 2010) (hereinafter “Griffith”) and Singh et al. (US 2003/0095338 A1, pub. May 22, 2003) (hereinafter “Singh”). (Final Act. 2.)

ISSUE ON APPEAL

Appellants’ arguments in the Appeal Brief present the following issue²:

Whether the Examiner erred in finding the combination of Griffith and Singh teaches or suggests the independent claim 17 limitation,

wherein the combined-image data stream replaces the removed image data with other image data selected from at least one of the omnidirectional-image data stream and the narrow-view-image data stream, wherein the other image data comprises image data that is exclusive of the removed image data,

and the commensurate limitation recited in independent claims 37 and 42. (App. Br. 6–8.)

ANALYSIS

We have reviewed the Examiner’s rejection in light of Appellants’ arguments that the Examiner erred. We disagree with Appellants’ arguments, and we adopt as our own (1) the pertinent findings and reasons

² Rather than reiterate the arguments of Appellants and the positions of the Examiner, we refer to the Appeal Brief (filed Dec. 11, 2017); the Reply Brief (filed Feb. 27, 2018); the Final Office Action (mailed Feb. 28, 2017); and the Examiner’s Answer (mailed Feb. 16, 2018) for the respective details.

set forth by the Examiner in the Action from which this appeal is taken (Final Act. 2–8) and (2) the corresponding findings and reasons set forth by the Examiner in the Examiner’s Answer in response to Appellants’ Appeal Brief. (Ans. 3–8.) We concur with the applicable findings and conclusions reached by the Examiner, and emphasize the following.

In finding the combination of Griffith and Singh teaches or suggests the claim 17 limitation at issue, the Examiner relies on the disclosure of Griffith in which (1) the masks 60 and 68 block central and peripheral image portions from the wide and narrow images, respectively, and (2) the central portion 76 of the combined image 66 is taken from the narrow FOV (field-of-view) image 52 while the peripheral portion 78 of the combined image 66 is taken from the wide FOV image 50. (Final Act. 2–3; Griffith ¶ 24, Fig. 2.)

Appellants argue that Griffith uses a dual sensor in which “the combined image 66 forms a single *congruent* image of the wide FOV image 50 and the narrow FOV image 52” (App. Br. 7, emphasis in original; *see also* App. Br. 6, quoting Griffith ¶ 23), and “there appears to be no disclosure in Griffith that the masked portions of the images are *not* part of the combined image.” (App. Br. 7, emphasis in original.) Appellants contend that “Griffith fails to disclose ‘the combined-image data stream replaces the removed image data with other image data . . . the other image data comprises image data that is *exclusive of* the removed image data’ as recited by amended independent claim 17.” (App. Br. 7, emphasis in original.)

The Examiner finds, and we agree, that the claimed “other image data” encompasses Griffith’s “narrow FOV image 52, [which] has

undergone a down-sampling operation, and is from an exclusive data path and imaging sensor, as illustrated in fig. 2,” whereas the claimed “removed image data” encompasses Griffith’s wide FOV image data, “while the removed image data is wide FOV image data, which originates from another exclusive path.” (Final Act. 3, citing Griffith ¶ 24, Fig. 2.) Appellants do not specifically address and challenge the Examiner’s findings. The Examiner broadly and reasonably interprets the claim terms “other image data,” “removed image data,” and “exclusive.” (See Ans. 7–8.) Appellants point to no special meanings in the disclosure regarding the claim terms; particularly, Appellants do not argue a meaning for “exclusive” that would contradict the Examiner’s interpretation.³

Accordingly, we sustain the Examiner’s rejection of independent claim 17 and independent claims 37 and 42 commensurate in scope, as well as dependent claims 18, 19, 21, 35, 36, 38–41, and 43–46 not argued separately.

DECISION

The Examiner’s decision rejecting claims 17–19, 21, and 35–46 is affirmed.

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

³ We note that the term “exclusive” was added to the independent claims in an Amendment filed Feb. 2, 2017, with no explanation regarding its support in the disclosure.