

Serial Number: 08/896,727

Page 9

Art Unit: 2712


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H.N

November 22, 1997


HUY THUAN HUYNH
PATENT EXAMINER

US 202-081-1001 FAX 202-081-2333

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POWER TO INSPECT / COPY		Docket Number (Optional)
Received JUN 04 1998 Group 2700	In re Application of <i>Richard Lang</i>	
	Application Number <i>08/624/958</i>	Filed <i>3/28/96</i>
	Group Art Unit <i>2712</i>	Examiner <i>Huy Nguyen</i>
	Paper No. <i>34</i>	
Assistant Commissioner for Patents Washington, DC 20231		
Please permit the following person(s) to inspect and make copies of the above identified application: Ghayour Shoalb, Chhun Pha or Henry Doung all of Faxpat		
I am the: <input checked="" type="checkbox"/> Applicant. <input type="checkbox"/> Assignee of record of the entire interest. <input type="checkbox"/> Attorney or agent of record Registration No. _____		
Signature _____ <i>Richard Lang</i> Typed or printed name <i>Chairman, CEO</i> Title (Officer of company or corporate assignee)		Date <i>June 2, 1998</i>
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/896,727	07/18/97	LANG	R 639.05

LM11/0708

MARK A SOCKOL
2225 EAST BAYSHORE ROAD STE 200
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EXAMINER NGUYEN, H

ART UNIT	PAPER NUMBER
2712	35

DATE MAILED: 07/08/98


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

Commissioner of Patents and Trademarks

Notice of Abandonment	Application No. 08/896,727	Applicant(s) Lang	
	Examiner Huy Nguyen	Group Art Unit 2712	

This application is abandoned in view of:

- applicant's failure to timely file a proper response to the Office letter mailed on Nov 25, 1997.
 - A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
 - A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).
- No response has been received.
- applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
 - The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
 - The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
 - The issue fee has not been received.
- applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
 - Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
 - The proposed new formal drawings filed _____ are not acceptable.
 - No proposed new formal drawings have been received.
- the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- the decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- the reason(s) below:


PRIMARY EXAMINER



#36
J. Douglas
7/15/98

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Richard Lang
 SERIAL NO.: 08/896,727
 FILING DATE: July 18, 1997
 TITLE: Burst Transmission Apparatus and Method for Audio/Video Information
 EXAMINER: Huy Nguyen
 GROUP ART UNIT: 2712
 ATTY.DKT.NO.: 816US

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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

REQUEST FOR A THREE MONTH EXTENSION OF TIME

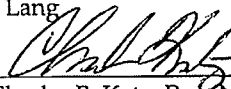
SIR:

Applicant hereby requests a three-month extension of time in responding to the Patent Office communication mailed November 25, 1997. Enclosed herewith is a check in the amount of \$475.00 pursuant to 37 C.F.R. §1.17(c).

Please charge our Deposit Account No. 06-0600 for additional fees that may be incurred. A duplicate copy of this letter is enclosed for this purpose.

Respectfully submitted,
Richard Lang

Date: May 26, 1998

By: 
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Richard Lang
 SERIAL NO.: 08/896,727
 FILING DATE: July 18, 1997
 TITLE: Burst Transmission Apparatus and Method for Audio/Video Information
 EXAMINER: Huy Nguyen
 GROUP ART UNIT: 2712
 ATTY.DKT.NO.: 816US

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 GROUP 2700

ASSISTANT COMMISSIONER FOR PATENTS
 WASHINGTON, DC 20231

REQUEST FOR A THREE MONTH EXTENSION OF TIME

SIR:

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Please charge our Deposit Account No. 06-0600 for additional fees that may be incurred. A duplicate copy of this letter is enclosed for this purpose.

Respectfully submitted,
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Date: May 26, 1998

By: [Signature]
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37/I
J. Douglas
7/15/98



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT: Richard Lang
SERIAL NO.: 08/896,727
FILING DATE: July 18, 1997
TITLE: Burst Transmission Apparatus and Method for Audio/Video Information
EXAMINER: Huy Nguyen
ART UNIT: 2712
ATTY. DKT. NO: 816US

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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date printed below:

Date: May 26, 1998

Charles B. Katz
Charles B. Katz

Assistant Commissioner for Patents
Washington, DC 20231

37/1/98
by

AMENDMENT AND RESPONSE

In response to the Office Action mailed November 25, 1997, please amend the above-identified application as follows:

In the Claims:

Please cancel claims ~~27-41~~, ~~43-68~~, ~~70-113~~, ~~115-129~~ and ~~131-194~~ without prejudice.

Please add the following new claims 195-218:

1 ~~195~~. An audio/video transceiver apparatus comprising:
2 input means for receiving audio/video source information, said
3 audio/video source information comprising a multiplicity of video frames
4 collectively representing at least one full motion video program;
5 compression means, coupled to said input means, for compressing said
6 audio/video source information into a digital time compressed representation
7 thereof, wherein said digital time compressed representation of said
8 audio/video source information is capable of being transmitted in a burst
9 transmission time period that is substantially shorter than a time period
10 associated with real time viewing by a receiver of said audio/video source
11 information;
12 storage means, coupled to said compression means, for storing said digital
13 time compressed representation of said audio/video source information; and
14 transmission means, coupled to said storage means, for transmitting said
15 digital time compressed representation of said audio/video source information
16 away from said audio/video transceiver apparatus in said burst transmission
17 time period.

1 ~~196~~². The audio/video transceiver apparatus of claim ~~195~~¹, further comprising
2 editing means, coupled to said storage means, for editing the digital time
3 compressed representation of said audio/video source information stored in said
4 storage means and for storing the edited digital time compressed representation
5 of said audio/video source information in said storage means.

1 ~~197~~³. The audio/video transceiver apparatus of claim ~~196~~², wherein said
2 transmission means is configured to receive the edited digital time compressed
3 representation of said audio/video source information and to transmit the edited
4 digital time compressed representation of said audio/video source information
5 away from said audio/video transceiver apparatus in said burst transmission
6 time period.

1 ~~198~~⁴. The audio/video transceiver apparatus of claim ~~195~~¹, further comprising:
2 decompression means, coupled to said storage means, for selectively
3 decompressing the digital time compressed representation of said audio /video
4 source information stored in said storage means; and
5 editing means, coupled to said decompression means and said storage
6 means, for editing the decompressed digital time compressed representation of
7 said audio/video source information, and for then storing the edited
8 decompressed digital time compressed representation of said audio/video
9 source information in said storage means.

1 ⁵~~199~~. The audio/video transceiver apparatus of claim ¹~~195~~, wherein said input
2 means comprise analog to digital converter means for converting analog
3 audio/video source information received at said input means to corresponding
4 digital audio/video source information.

1 ⁶~~200~~. An audio/video information transfer network comprising a plurality of
2 audio/video transceivers coupled via at least one communication link, each of
3 the audio/video transceivers comprising:
4 input means for receiving audio/video source information, said
5 audio/video source information comprising a multiplicity of video frames
6 collectively representing at least one full motion video program;
7 compression means, coupled to said input means, for compressing said
8 audio/video source information into a digital time compressed representation
9 thereof, wherein said digital time compressed representation of said
10 audio/video source information is capable of being transmitted in a burst
11 transmission time period that is substantially shorter than a time period
12 associated with real time viewing by a receiver of said audio/video source
13 information;
14 storage means, coupled to said compression means, for storing said digital
15 time compressed representation of said audio/video source information; and
16 transmission means, coupled to said storage means, for transmitting said
17 digital time compressed representation of said audio/video source information

18 away from said audio/video transceiver apparatus in said burst transmission
19 time period.

7
1 ~~201.~~ The audio/video transfer network of claim ~~200,~~⁶ wherein:
2 said input means of at least one of said plurality of audio/video
3 transceivers includes a fiber optic input port;
4 said transmission means of at least one other of said plurality of
5 audio/video transceivers includes a fiber optic output port; and
6 said at least one communication link includes a fiber optic transmission
7 line coupling in communication said fiber optic input port with said fiber optic
8 output port.

8
1 ~~202.~~ The audio/video transfer network of claim ~~200,~~⁶ wherein said transmission
2 means of at least one of said plurality of audio/video transceivers includes a
3 modem, and said at least one communication link includes a telephone
4 transmission line.

9
1 ~~203.~~ The audio/video transfer network of claim ~~200,~~⁶ wherein at least one of
2 said audio/video transceivers further comprises editing means, coupled to said
3 storage means, for editing the digital time compressed representation of said
4 audio/video source information stored in said storage means and for storing the
5 edited digital time compressed representation of said audio/video source

6 information in said storage means.

¹⁰
1 ~~204~~ The audio/video transfer network of claim ⁶~~200~~, wherein at least one of
2 said audio/video transceivers further comprises:
3 decompression means, coupled to said storage means, for selectively
4 decompressing the digital time compressed representation of said audio /video
5 source information stored in said storage means; and
6 editing means, coupled to said decompression means and said storage
7 means, for editing the decompressed digital time compressed representation of
8 said audio/video source information, and for then storing the edited
9 decompressed digital time compressed representation of said audio/video
10 source information in said storage means.

¹¹
1 ~~205~~ The audio/video transceiver network of claim ⁶~~200~~, wherein at least one of
2 said plurality of audio/video transceivers further comprises analog to digital
3 converter means for converting analog audio/video source information received
4 at said input means to corresponding digital audio/video source information.

¹²
1 ~~206~~ A method for handling audio/video source information, the method
2 comprising the steps of:
3 receiving audio/video source information, said audio/video source
4 information comprising a multiplicity of video frames collectively constituting at

5 least one full motion video program;
6 compressing the received audio/video source information into a digital
7 time compressed representation thereof, the digital time compressed
8 representation of said audio/video source information having an associated
9 burst transmission time period that is substantially shorter than a time period
10 associated with real time viewing by a receiver of said audio/video source
11 information;
12 storing the digital time compressed representation of said audio/video
13 source information; and
14 transmitting, in said burst transmission time period, the stored digital time
15 compressed representation of said audio/video source information to a selected
16 destination.

1 ¹³~~207~~. The method of claim ¹²~~206~~, further comprising the steps of:
2 editing the stored time compressed representation of said audio/video
3 source information; and
4 storing the edited time compressed representation of said audio/video
5 source information.

1 ¹⁴~~208~~. The method of claim ¹²~~206~~, further comprising the step of converting the
2 received audio/video information from an analog format to a digital format.

1 ~~209~~¹⁵ The method of claim ~~206~~¹² wherein the step of transmitting the stored
2 digital time compressed video information further comprises sending said time
3 compressed data to one of a plurality of audio/video transceivers connected
4 over at least one communications link.

1 ~~210~~¹⁶ The method of claim ~~209~~¹⁵ wherein said at least one communications link
2 comprises an optical channel.

1 ~~211~~¹⁷ The method of claim ~~209~~¹⁵, wherein said at least one communications link
2 comprises a telephone transmission channel.

1 ~~212~~¹⁸ The method of claim ~~206~~¹², further comprising the step of providing a
2 network that includes a plurality of audio/video transceivers, coupled via at
3 least one communications link, said selected destination comprising at least one
4 of said plurality of audio/video transceivers.

1 ~~213~~¹⁹ The method of claim ~~212~~¹⁸, wherein said at least one communications link
2 comprises an optical channel.

1 ~~214~~²⁰ The method of claim ~~212~~¹⁸, wherein said at least one communications link
2 comprises a telephone transmission channel.

1 ²⁰~~215~~. A method for handling audio/video source information, the method
2 comprising the steps of:
3 receiving audio/video source information as a digital time compressed
4 representation thereof, said audio/video source information comprising a
5 multiplicity of video frames collectively constituting at least one full motion
6 video program selected from a video library storing a plurality of video
7 programs in a digital time compressed representation thereof for selective
8 retrieval;
9 said at least one video program being received by a receiver in a burst
10 transmission time period that is substantially shorter than a time period
11 associated with real-time viewing by a receiver of said at least one video
12 program;
13 storing the digital time compressed representation of said audio/video
14 source information; and
15 transmitting, in said burst transmission time period, the stored digital time
16 compressed representation of said audio/video source information to a selected
17 destination.

1 ²²~~216~~. The method of claim ²⁴~~215~~, further comprising the step of providing a
2 network that includes a plurality of audio/video transceivers, coupled via at
3 least one communications link, said selected destination comprising at least one
4 of said plurality of audio/video transceivers.

- 1 ²³~~217~~. The method of claim ²²~~216~~, wherein said at least one communications link
- 2 comprises an optical channel.

- 1 ²⁴~~218~~. The method of claim ²²~~216~~, wherein said at least one communications link
 - 2 comprises a telephone transmission channel.
-

REMARKS

Reconsideration of the Application, as amended by the present communication, is hereby respectfully requested.

Claims 27-41, 43-68, 70-113, 115-129 and 131-194 were originally presented for examination in the Application. In the Office Action dated 11/25/97, the foregoing claims were rejected under 35 U.S.C. §103(a). Responsive to the Office Action, all of the original claims have been cancelled, and new claims 195-218 have been added. It is submitted that the new claims more clearly describe the invention and distinguish the same over the prior art of record.

Before turning to the specific rejections, a discussion of the general nature of the invention may be helpful to provide a context for analysis of the claims. The present invention teaches a system and method for transmitting audio/video source information, namely full motion video programs, between devices. The audio/video information is time compressed to thereby allow transmission in a burst transmission time period which is substantially shorter than the time associated with real-time viewing of the video program by a receiver of the program. For example, a video program having an associated viewing time (i.e., running length) of one hour could be time compressed and transmitted to a receiver in a burst transmission time period which is substantially less than one hour.

The burst transmission technique employed by the invention offers significant advantages over prior art audio/video information delivery systems

and methods. One illustrative example involves video library systems (also known as video-on-demand systems), wherein a video program selected from a collection of multiple programs is delivered to a client in response to a request therefrom. In a conventional video library system, each (uncompressed) video program is delivered to the requesting client on a substantially real time basis, i.e., the transmission period is equal to the time associated with viewing of the program by the receiver. By using the burst transmission system and method of the present invention, the transmission throughput (i.e., the rate at which audio/video information can be delivered to the system clients given a certain amount of bandwidth) is increased, enabling servicing of a larger number of clients. Furthermore, the system's clients can be serviced faster and more efficiently than by a conventional system. Utilization of the technique embodied by the invention also lends enhanced functionality to the video library system, such as the ability to selectively "pause" or "rewind" the video program.

Rejections Under 35 U.S.C. §103(a)

Claims 27-41, 43-68, 70-113, 115-129, and 131-194 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Izeke et al. (U.S. Pat. No. 4,974,178) in view of Hamilton et al. (U.S. Pat. No. 4,897,717). The Applicant respectfully traverses the Examiner's rejection as applied to new claims 195-218.

Izeke et al. teaches a system for editing information including pictures, sounds, and characters. The information is received through input units (43, 45)

and is preferably converted into a prescribed format by converting unit (46). The converted information, held in first storage means 53, is then edited by editing unit 47, and the edited information is stored in second storage means. The edited information can then be conveyed via an interface to a storage device such as magnetic tape. It is to be appreciated that the Izekei et al. device does not provide for burst transmission of video programs over a communications channel; rather, it is intended to facilitate production of a master tape comprising picture and sound information.

Hamilton et al. teaches a digital compression technique utilizing a discrete sine transform, segmentation and predictive analysis to avoid compression losses and thereby improve the quality of reconstructed images. Hamilton et al. does not teach or suggest any specific implementation of the compression technique described therein.

All of the claims in the present Application recite structures or steps wherein audio/video information representative of a video program is stored in digital time-compressed form, and the digital time-compressed audio/video information is then transmitted in a burst transmission time period substantially shorter than the time associated with real-time viewing of the audio/video information by a viewer. For example, independent claim 195 recites an audio/video transceiver comprising, inter alia:

compression means, coupled to said input means, for compressing said audio/video source information into a digital time compressed representation thereof, wherein said digital time compressed representation of said audio/video source information

is capable of being transmitted in a burst transmission time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information; [and]

transmission means, coupled to said storage means, for transmitting said digital time compressed representation of said audio/video source information away from said audio/video transceiver apparatus in said burst transmission time period.

Similarly, claim 206 recites a method for handling audio/video information, the method including the steps of, inter alia:

compressing the received audio/video source information into a digital time compressed representation thereof, the digital time compressed representation of said audio/video source information having an associated burst transmission time period that is substantially shorter than a time period associated with real time viewing by a receiver of said audio/video source information; [and]

transmitting, in said burst transmission time period, the stored digital time compressed representation of said audio/video source information to a selected destination.

The time-compression/burst transmission feature recited in the claims of the present Application is neither disclosed nor suggested by Izeke et al., Hamilton et al., or any of the other references of record, either taken individually or in combination. In rejecting the originally presented claims under §103, the Examiner states "it would be obvious to one of ordinary skill in the art to employ means for time-compressing audio/video information as an alternative compressing device for the compressing means of Izeke et al. in order to increase the transmission speed of the audio/video information as well as to increase the capacity of storing the audio/video information of the storage means." Applicant traverses the Examiner's assertion. It is an axiom of patent law that obviousness

cannot be established by combining the teaching of the prior art to produce the claimed invention, absent some teaching or suggestion supporting the combination. ACS Hospital Systems, Inc. v. Montefiore Hospital, 221 U.S.P.Q. 929, 932, 933 (Fed. Cir. 1984). As discussed hereinabove, Izeki et al. is directed to a very different problem than is the claimed invention. Namely, the Izeki et al. device is intended to be used for editing picture, sound and character information to produce a recording medium, whereas the system and method of the present invention enables burst transmission of full motion video programs. The "output means" (80) of Izeki et al. simply comprises an interface for transferring edited files to a master tape (see column 6, lines 61-65); it is not analogous to the transmission means or transmission step of the claimed invention. Furthermore, although Izeki et al. makes reference to processing "video information", it is apparent, based on a fair reading of the specification, that this "video information" represents still-picture information in video form (see column 2, lines 37-42). This is in sharp contrast to the claimed invention, wherein full motion video programs, having an inherent temporal element, are time compressed and transmitted.

Applicant respectfully submits that there is no motivation to combine the editing apparatus of Izeki et al. with the compression technique disclosed in Hamilton et al. Izeki et al. is simply not concerned with transmitting audio/video information away from the apparatus to one or more receivers. Furthermore, since Izeki deals with still picture information, compression of the

information would still not represent time compression thereof (as defined in the specification of the Application), since time compression necessarily requires that the information to be compressed have a temporal dimension.

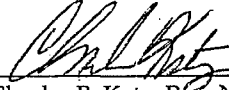
Because all of the claims now pending in the application recite features neither taught nor suggested by the prior art references, Applicant submits that these claims are allowable, and such action is earnestly solicited.

If the Examiner has questions regarding this case, he is invited to telephone the Applicant's undersigned representative at the number given below.

Respectfully submitted,
Richard Lang

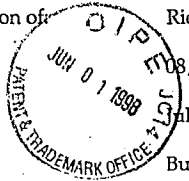
Date: May 26, 1998

By: _____


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GP 2712 4\$
217

In re application of Richard Lang
 Serial No.: 08/896,727
 Filing Date: July 18, 1997
 Title: Burst Transmission Apparatus and Method for Audio/Video Information



Atty. Docket No.: 816US

ASSISTANT COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

Sir:
 Transmitted herewith is an amendment in the above-identified application.
 Small entity status of this application under 37 CFR §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
 A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
 No additional fee is required.

The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		or	Other Than a Small Entity	
	Claims Remaining After Amendment		Highest Number Previously Paid For		Number of Extra Claims Present		Rate	Additional Fee	or	Rate	Additional Fee
Total	24	minus	164		0		x \$11 =	\$0		x \$22 =	\$
Indep.	4	minus	11		0		x \$41 =	\$0	or	x \$82 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claims								+ \$135			+ \$270
							=			=	
Total Fee								\$0		Total Fee	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

Please charge my Deposit Account No. 06-0600 in the amount of \$____. A duplicate copy of this sheet is attached.

A check in the amount of \$____ is attached.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-0600. A duplicate copy of this sheet is attached.

- Any filing fees under 37 CFR § 1.16 for the presentation of extra claims.
- Any patent application processing fees under 37 CFR § 1.17.

Respectfully submitted,

Charles B. Katz, Reg. No. 36,564
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Dated: May 26, 1998

In re application of: Richard Lang

Serial No.: 08/896,727

Atty. Docket No.: 816US

Filing Date: July 18, 1997

Title: Burst Transmission Apparatus and Method for Audio/Video Information



ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Small entity status of this application under 37 CFR §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
- A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- No additional fee is required.

The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		or	Other Than a Small Entity	
	Claims Remaining After Amendment		Highest Number Previously Paid For		Number of Extra Claims Present		Rate	Additional Fee		Rate	Additional Fee
Total	24	minus	164		0		x \$11 =	\$0		x \$22 =	\$
Indep.	4	minus	11		0		x \$41 =	\$0		x \$82 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claims							+ \$135	\$0		+ \$270	\$
							=			=	
							Total Fee	\$0		Total Fee	\$

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- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
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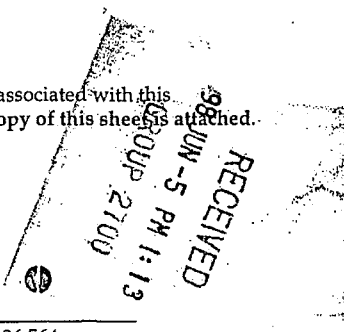
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- Any filing fees under 37 CFR § 1.16 for the presentation of extra claims.
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Respectfully submitted,

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