Exhibit 5
Part 6
To Third Declaration of
Joseph N. Hosteny

BancTec's Proposal to the Federal Reserve Bank of Boston, "Technical Volume: Total Solution Overview" Jul. 8, 1994, JPMC–BANCT 001017–001144.

"Interbank Check Imaging," FSTC General Meeting, Orlando, FL, Apr. 17, 1997 (Exhibit 20).

"MAGTEK© Company Background & Product Guide," date unknown (Exhibit MagTek D–7).

"MagTek Unveils Excella, a Dual–side Scanner for Check 21 Applications," May 10, 2004 (Exhibit MagTek D–8).

"PACES Models—FSTC Project," presentation by Mariano Roldan on Jul. 17, 1997 (Exhibit 21).

"PACES Paperless Automated Check Exchange & Settlement Next Step," presentation by John Fricke at New York, NY on Aug. 12, 1997 (Exhibit 19).

Press Release "MagTek Adds Enhanced Reading to Micrimage TM," Jan. 9, 2003 (Exhibit MagTek D–11).

Press Release "MagTek Upgrades Its MicrimageTM Check Reader/Scanner," Jun. 12, 2002 (Exhibit MagTek D–9).
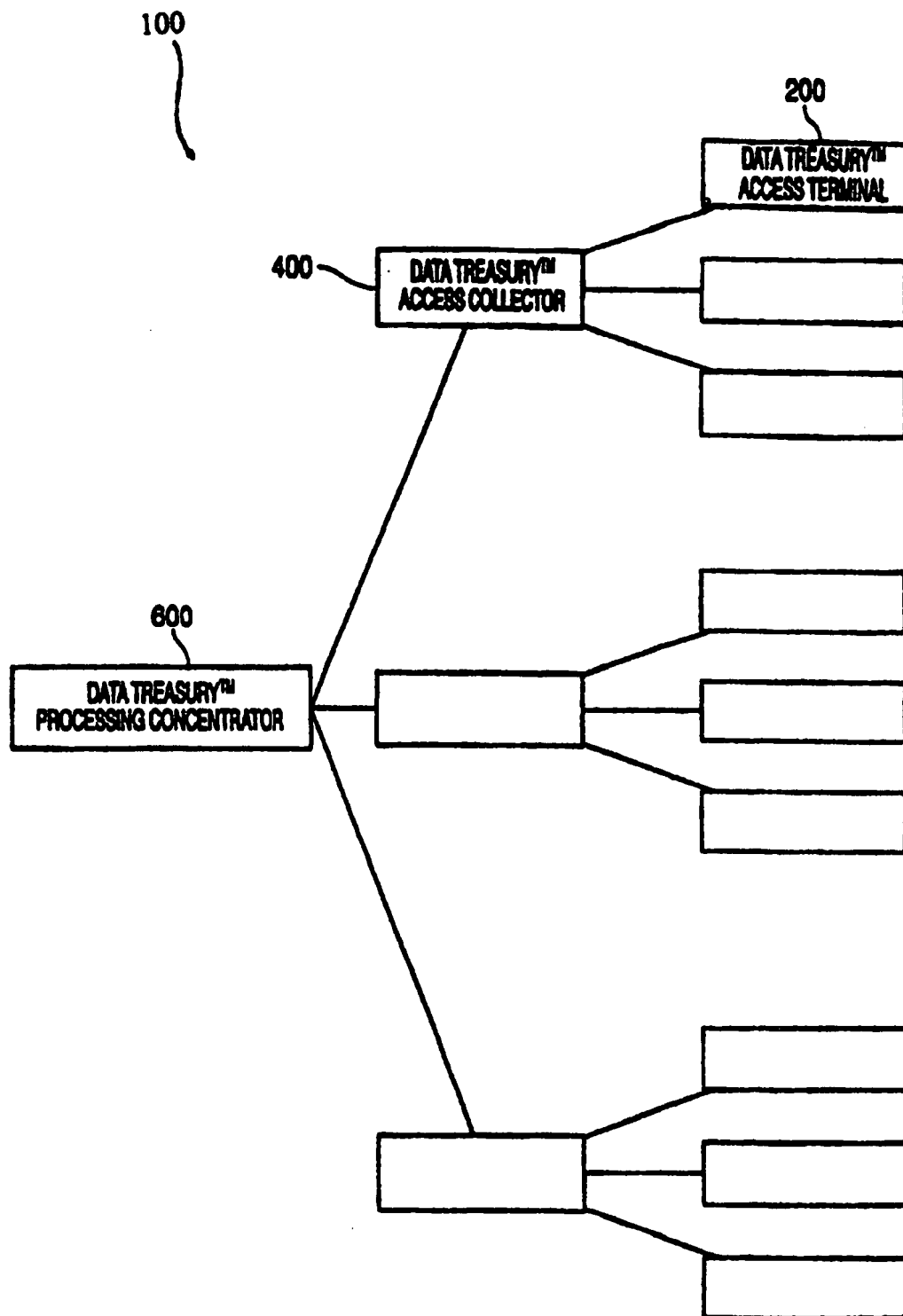
Press Release "MagTek's MICRImage Transmits Check Images at Speed of Ethernet," Feb. 14, 2002 (Exhibit D–10).

"The New Era of Check Scanning Technology," 2005 (Exhibit MagTek D–6).

"Imaging in Corporate Environments: Technology and Communication," Daniel Minoli, McGraw Hill, 1994.

"ANSI/ABA X9.46–1995, Draft version 0.13, American National Standard For Financial Image Interchange: Architecture, Overview and System Design Specification."

"ANSI/ABA X9.46–1997, American National Standard For Financial Image Interchange, Architecture, Overview and System Design Specification." Copyright 1996.

100

200

400

DATA TREASURY™
ACCESS TERMINAL

DATA TREASURY™
ACCESS COLLECTOR

600

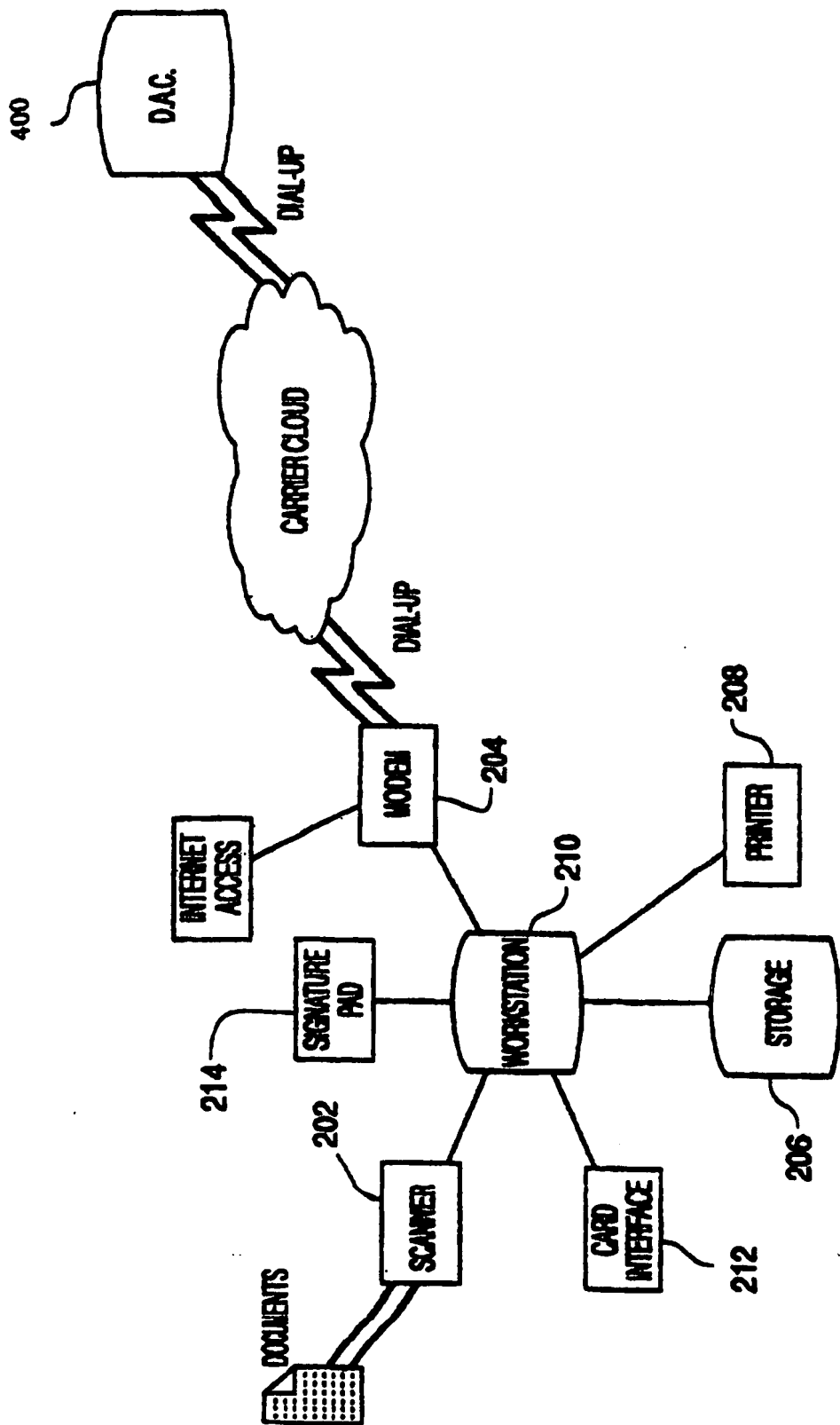DATA TREASURY™
PROCESSING CONCENTRATOR

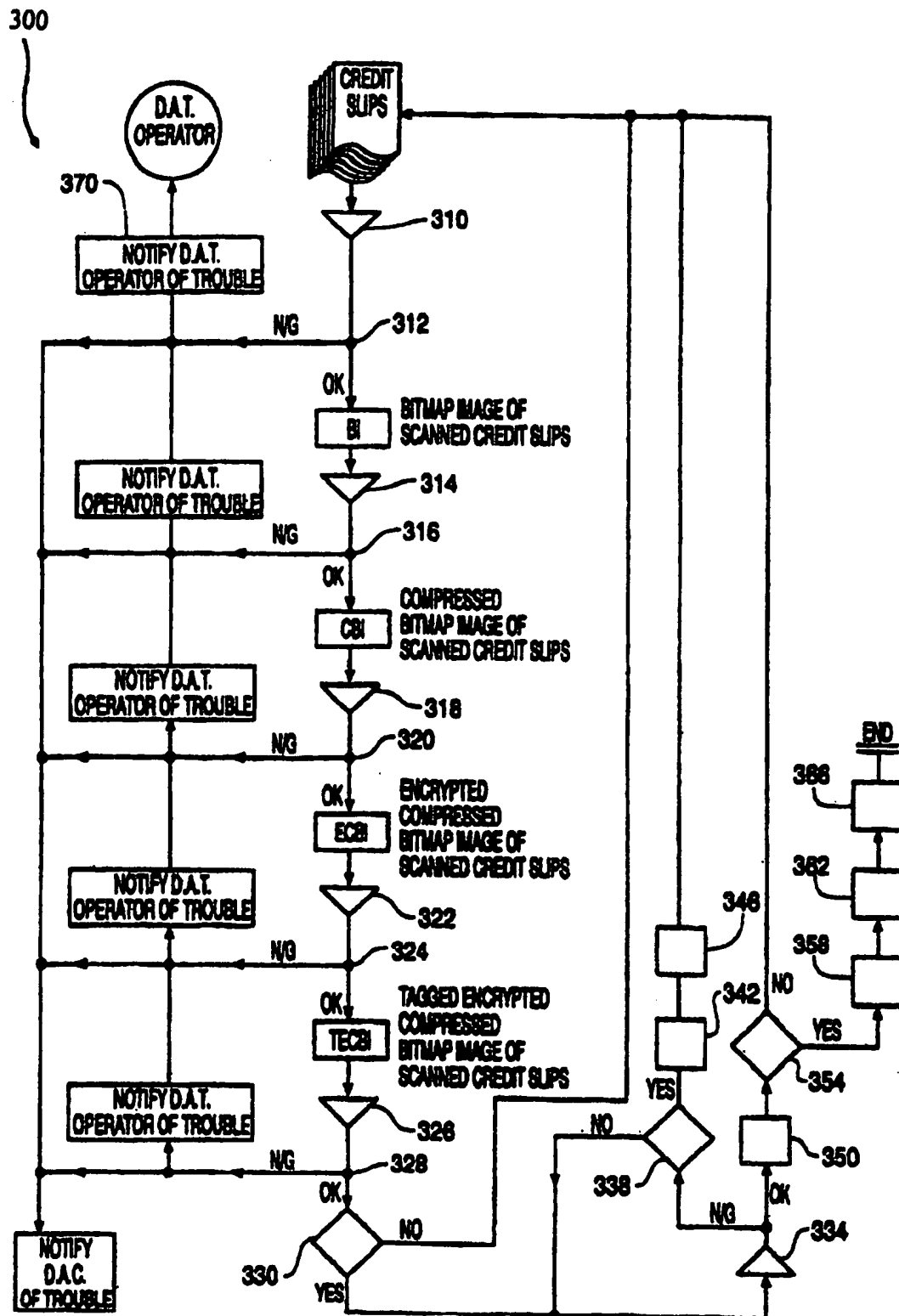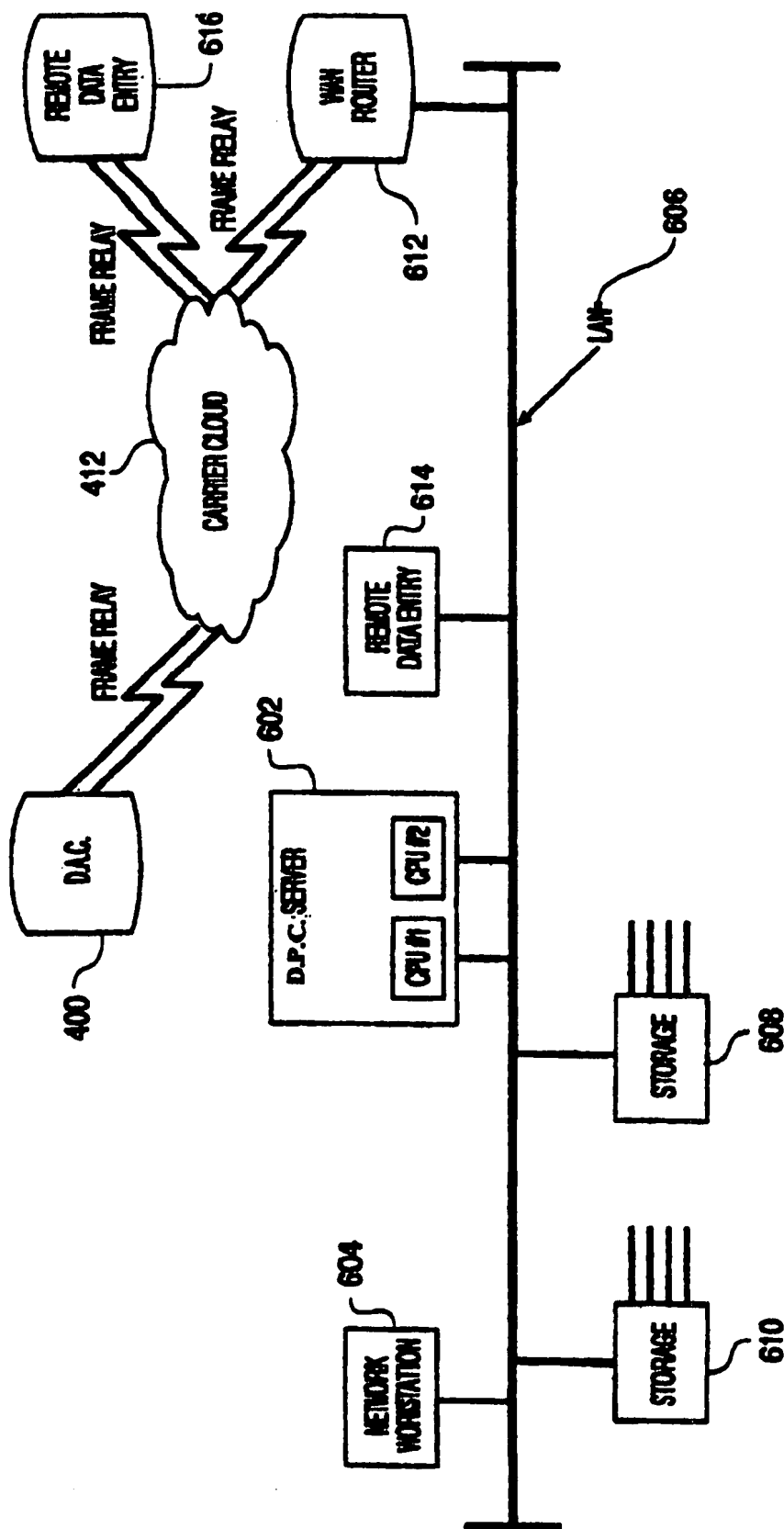FIG. 1 (Amended)

FIG. 2 (Amended)

FIG. 3A (Amended)

FIG. 6 (Amended)

EX PARTE
REEXAMINATION CERTIFICATE
ISSUED UNDER 35 U.S.C. 307

THE PATENT IS HEREBY AMENDED AS INDICATED BELOW.

Matter enclosed in heavy brackets [ ] appeared in the patent, but has been deleted and is no longer a part of the patent; matter printed in italics indicates additions made to the patent.

ONLY THOSE PARAGRAPHS OF THE SPECIFICATION AFFECTED BY AMENDMENT ARE PRINTED HEREIN.

Column 6, lines 7–19:

The use of glyph technology in the DataTreasury™ System **100** improves the accuracy, cost and performance of the system. Xerox DataGlyph™ Technology includes error correction codes which can be referenced to correct scanning errors or to correct damage to the document caused by ink spills or ordinary wear. DataGlyph™ Technology also leads to decreased system cost since the system will require less manual intervention for data entry and correction because of the improved accuracy associated with DataGlyph™ elements. Since DataGlyph™ elements represent a large amount of information in a small amount of space, the DAT scanner **[100]** *202* will require a small amount of time to input a large amount of information.

Column 15, lines 53–62:

A DPC LAN **606** facilitates communication among the devices which are connected to the LAN **606** including the DPC server **602** and the network workstation **604**. In the preferred embodiment, the DPC LAN **606** uses a switched 100BaseT/10BaseT communication hardware layer protocol like the DAC LAN **406** discussed earlier. In the preferred embodiment, the DPC LAN **[406]** *606* is a high speed OC2 network topology backbone supporting TCP/IP. The CISCO Catalyst 5500 Network Switch supports the DPC LAN **606** connectivity among the devices connected to the LAN **606**.

Column 20, lines 11–20:

FIG. 7 is a flow chart **700** describing the polling of the DACs **[300]** *400* by a DPC **600** and the transmission of the TECBIs from the DACs **[300]** *400* to the DPC **600**. In step **702**, the DPC **600** reads the address of the first DAC **[300]** *400* in its region for polling. In step **704**, the DPC **600** connects with a DAC **[300]** *400* for transmission. The DPC **600** determines whether the connection to the DAC **[300]** *400* was successful in step **706**. If the call to the DAC **[300]** *400* was unsuccessful, the DPC **600** will record the error condition in the session summary report and will report the error to the DPC **600** manager in step **722**.

Column 20, lines 21–25:

If the connection to the DAC **[300]** *400* was successful, the DPC **600** will verify that the DAC **[300]** *400* is ready to transmit in step **708**. If the DAC **[300]** *400* is not ready to transmit, the DPC **600** will record the error condition in the session summary report and will report the error to the DPC **600** manager in step **722**.

Column 20, lines 26–33:

If the DAC **[300]** *400* is ready to transmit in step **708**, the DAC **[300]** *400* will transmit a TECBI packet header to the DPC **600** in step **710**. The DPC **600** will determine whether the transmission of the TECBI packet header was successful

in step **712**. If the transmission of the TECBI packet header was unsuccessful, the DPC **600** will record the error condition in the session summary report and will report the error to the DPC **600** manager in step **722**.

Column 20, lines 34–41:

If the transmission of the TECBI packet header was successful in step **712**, the DAC **[300]** *400* will transmit a TECBI package to the DPC **600** in step **714**. The DPC **600** will determine whether the transmission of the TECBI packet was successful in step **716**. If the transmission of the TECBI packet header was unsuccessful, the DPC **600** will record the error condition in the session summary report and will report the error to the DPC **600** manager in step **722**.

Column 20, lines 49–59:

If the TECBI packet header matched the TECBI packet in step **718**, the DPC **600** will set the status of the TECBI packet to indicate that it was received at the DPC **600** in step **720**. The DPC **600** will also transmit the status to the DAC **[300]** *400* to indicate successful completion of the polling and transmission session in step **720**. Next, the DPC **600** will determine whether TECBIs have been transmitted from all of the DACs **[300]** *400* in its region in step **724**. If all DACs **[300]** *400* in the DPC's **600** region have transmitted TECBIs to the DPC **600**, the DPC **600** will compile a DAC **[300]** *400* status report in step **728** before terminating the session.

Column 20, lines 60–65:

If one or more DACs **[300]** *400* in the DPC's **600** region have not transmitted TECBIs to the DPC **600**, the DPC **600** will get the address of the next DAC **[300]** *400* in the region in step **726**. Next, control returns to step **704** where the next DAC **[300]** *400* in the DPC's **600** region will be polled as previously discussed.

THE DRAWING FIGURES HAVE BEEN CHANGED AS FOLLOWS:

Reference number **100** added to FIG. **1**.

Reference number **300** changed to **400** in FIG. **2**.

Reference number **300** added to FIG. **3A**.

Text "D.A.C." changed to "D.P.C." in box **602** of FIG. **6**.

AS A RESULT OF REEXAMINATION, IT HAS BEEN DETERMINED THAT:

The patentability of claims **26–50** is confirmed.

Claim 1 is determined to be patentable as amended.

Claims **2–25**, dependent on an amended claim, are determined to be patentable.

New claims **51–123** are added and determined to be patentable.

1. A system for central management, storage and report generation of remotely captured paper transactions from documents and receipts comprising:

  one or more remote data access subsystems for capturing and sending paper transaction data and subsystem identification information comprising at least one imaging subsystem for capturing the documents and receipts and at least one data access controller for managing the capturing and sending of the transaction data;

  at least one central data processing subsystem for processing, sending, verifying and storing the paper

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transaction data and the subsystem identification information comprising a management subsystem for managing the processing, sending and storing [of the] of the transaction data; and

at least one communication network for the transmission of the transaction data within and between said one or more data access subsystems and said at least one data processing subsystem, with the data access subsystem providing encrypted subsystem identification information and encrypted paper transaction data to the data processing subsystem.

51. A system as in claim 1 wherein said one or more data access subsystems also capture electronic transactions from at least one of credit cards and debit cards.

52. A system as in claim 1 further comprising at least one card interface for capturing electronic transaction data.

53. A system as in claim 1 further comprising at least one signature interface for capturing an electronic signature.

54. A system as in claim 1 further comprising at least one biometric interface for capturing biometric data.

55. A system as in claim 1 wherein the system automatically generates at least one of credit card statements, bank statements, and tax reports.

56. A system as in claim 1 wherein said at least one central data processing subsystem polls said one or more remote data access subsystems for transaction data.

57. A system as in claim 1 wherein said transaction data comprises more than one type of transaction data.

58. A system as in claim 1 further comprising at least one data collecting subsystem for collecting and sending electronic transaction data and paper transaction data, the at least one data collecting subsystem further comprising a management subsystem for managing the collecting and sending of the electronic transaction data and the paper transaction data.

59. A system as in claim 1 further comprising at least one data collecting subsystem for collecting and sending at least electronic transaction data, the at least one data collecting subsystem further comprising a management subsystem for managing the collecting and sending of the at least electronic transaction data.

60. A system as in claim 1 further comprising at least one data collecting subsystem for collecting and sending at least the paper transaction data, the at least one data collecting subsystem further comprising a management subsystem for managing the collecting and sending of at least the paper transaction data.

61. A method as in claim 26 further comprising capturing electronic transaction data.

62. A method as in claim 26 further comprising capturing an electronic signature.

63. A method as in claim 26 further comprising capturing biometric data.

64. A method as in claim 26 further comprising automatically generating at least one of credit card statements, bank statements, and tax reports.

65. A method as in claim 26 wherein said transaction data comprises more than one type of transaction data.

66. A method as in claim 26 wherein said capturing and sending occurs at a plurality of remote locations; said collecting, processing, sending and storing occurs at a plurality of central locations; and further comprising:

collecting and sending transaction data at a plurality of intermediate locations;

managing the collecting and sending of the transaction data; and

transmitting the transaction data within the intermediate locations and between the intermediate locations and the remote locations and the central locations.

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67. A method as in claim 26 wherein said capturing and sending occurs at a plurality of remote locations; said collecting, processing, sending and storing occurs at a plurality of central locations; and further comprising:

collecting and sending the paper transaction data at a plurality of intermediate lcoations;

managing the collecting and sending of the paper transaction data; and

transmitting the paper transaction data within the intermediate locations and between the intermediate locations and the remote locations and the central locations.

68. A method as in claim 26 wherein said capturing and sending occurs at a plurality of remote locations; said collecting, processing, sending and storing occurs at a plurality of central locations; and further comprising:

collecting and sending electronic transaction data at a plurality of intermediate locations;

managing the collecting and sending of the electronic transaction data; and

transmitting the electronic transaction data within the intermediate locations and between the intermediate locations and the remote locations and the central locations.

69. A method as in claim 26 wherein said capturing and sending occurs at a plurality of remote locations; said collecting, processing, sending and storing occurs at a plurality of central locations; and further comprising:

collecting and sending electronic transaction data and the paper transaction data at a plurality of intermediate locations;

managing the collecting and sending of the electronic transaction data and the paper transaction data; and

transmitting the paper transaction data and the electronic transaction data within the intermediate locations and between the intermediate locations and the remote locations and the central locations.

70. A communcation network as in claim 42 wherein said at least one central data processing subsystem automatically generates at least one of credit card statements, bank statements, and tax reports.

71. A communication network as in claim 42 wherein said at least one central data processing subsystem polls said at least one intermediate data collecting subsystem for transaction data.

72. A communication network as in claim 42 wherein the said data comprises more than one type of transaction data.

73. A communication network as in claim 42 wherein said one or more remote data processing subsystems comprise a plurality of remote data processing subsystems and said at least one intermediate data collecting subsystem comprises a plurality of intermediate data collecting subsystems.

74. A communication network as in claim 42 wherein said one or more remote data processing subsystems comprise a plurality of remote data processing subsystems, said at least one intermediate data collecting subsystem comprises a plurality of intermediate data collecting subsystems, and said at least one central subsystem comprises a plurality of central subsystems.

75. A method as in claim 46 further comprising automatically generating at least one of credit card statements, bank statements, and tax reports.

76. A method as in claim 46 further comprising automatically generating credit card statements.

77. A method as in claim 46 further comprising automatically generating bank statements.

78. A method as in claim 46 further comprising automatically generating tax reports.

79. A method as in claim 46 further comprising polling the remote locations.

80. A method as in claim 46 further comprising polling the intermediate locations.

81. A method as in claim 46 wherein said data comprises more than one type of transaction data.

82. A method as in claim 46 wherein said one or more remote subsystems comprise a plurality of remote subsystems and said at least one intermediate subsystem comprises a plurality of intermediate subsystems.

83. A method as in claim 46 wherein said one or more remote subsystems comprise a plurality of remote subsystems, said at least one intermediate subsystem comprises a plurality of intermediate subsystems and said at least one central subsystem comprises a plurality of central subsystems.

84. A communication network for the transmission of data within and between one or more remote data processing subsystems that provide remote data processing subsystem identification information, at least one intermediate data collecting subsystem and at least one central data processing subsystem forming a tiered architecture wherein each of said at least one central data processing subsystem communicate with a corresponding some of said at least one intermediate data collecting subsystem and each of said at least one intermediate data collecting subsystem communicate with a corresponding some of said one or more remote data processing subsystems, said remote data processing subsystem including an imaging subsystem for capturing images of documents and receipts, comprising:

at least one first local area network for transmitting data within a corresponding one of said one or more remote data processing subsystems;

at least one second local area network for transmitting data within a corresponding one of said at least one intermediate data collecting subsystem;

at least one third local area network for transmitting data within a corresponding one of said at least one central data processing subsystem; and

at least one wide area network for transmitting data between said one or more remote data processing subsystems, said at least one intermediate data collecting subsystem and said at least one central data processing subsystem.

85. A communication network as in claim 84 further comprising:

at least one first modem for connecting said at least one first local area network of said one or more remote data processing subsystems to a corresponding one of said at least one second local area network through said at least one wide area network;

at least one bank of modems for connecting said at least one second local area network of said at least one intermediate data collecting subsystem to a corresponding some of said at least one first local area network of said one or more remote data processing subsystems through said at least one wide area network;

at least one first wide area network router for connecting a corresponding one of said at least one second local area network of said at least one intermediate data collecting subsystem to said at least one wide area network; and

at least one second wide area network router for connecting a corresponding one of said at least one third local area network of said at least one central data processing subsystem to said at least one wide area network.

86. A communication network as in claim 85 wherein said at least one first wide area network and said at least one second wide area network comprise a carrier cloud which utilizes a frame relay method for transmitting the transaction data.

87. A communication network as in claim 86 wherein said at least one second local area network and said at least one third local area network further comprise a corresponding one of at least one network switch for routing data within said at least one second local area network and said at least one third local area network; and further wherein said data comprises at least one of, (a) electronic transactions from credit cards, smart cards and debit cards, signature data or biometric data, and (b) paper transactions from documents and receipts.

88. A method for transmitting data within and between one or more remote subsystems that provide remote subsystem identification information, at least one intermediate subsystem and at least one central subsystem in a tiered manner wherein each of the central subsystems communicate with at least one intermediate subsystem and each of the intermediate subsystems communicate with at least one remote subsystems comprising:

capturing an image of documents and receipts and extracting data therefrom;

transmitting data within remote locations;

transmitting data from each remote location to corresponding intermediate locations;

transmitting data within the intermediate locations;

transmitting data from each intermediate location to corresponding central locations; and

transmitting data within the central locations.

89. A method as in claim 88 wherein said transmitting data from each remote location to corresponding intermediate locations step comprises:

connecting each remote location to a corresponding intermediate location; and

connecting the intermediate locations to corresponding remote locations.

90. A method as in claim 89 wherein said transmitting data from each intermediate location to corresponding central locations comprises:

connecting each intermediate location to an external communication network; and connecting the corresponding central locations to the external communication network.

91. A method as in claim 90 wherein said transmitting data from each intermediate location to corresponding central locations step further comprises:

packaging the transaction data into frames; and

transmitting the frames through the external communication network.

92. A method as in claim 88 wherein said data is obtained from at least one of, (a) electronic transactions from credit cards, smart cards and debit cards, signature data or biometric data, and (b) paper transactions from documents and receipts.

93. A communication network for the transmission of data within and between one or more remote data processing subsystems, at least one intermediate data collecting sub-

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system and at least one central data processing subsystem forming a tiered architecture wherein each of said at least one central data processing subsystem communicate with a corresponding some of said at least one intermediate data collecting subsystem and each of said at least one intermediate data collecting subsystem communicate with a corresponding some of said one or more remote data processing subsystems, said remote data processing subsystem including an imaging subsystem for capturing images of documents and receipts, comprising:

at least one first local area network for transmitting data within a corresponding one of said one or more remote data processing subsystems;

at least one second local area network for transmitting data within a corresponding one of said at least one intermediate data collecting subsystem;

at least one third local area network for transmitting data within a corresponding one of said at least one central data processing subsystem; and

at least one wide area network for transmitting data between said one or more remote data processing subsystems, said at least one intermediate data collecting subsystem and said at least one central data processing subsystem;

wherein the at least one intermediate data collecting subsystem calls the one or more remote data processing subsystems.

94. A communication network as in claim 93 further comprising:

at least one first modem for connecting said at least one first local area network of said one or more remote data processing subsystems to a corresponding one of said at least one second local area network through said at least one wide area network;

at least one bank of modems for connecting said at least one second local area network of said at least one intermediate data collecting subsystem to a corresponding some of said at least one first local area network of said one or more remote data processing subsystems through said at least one wide area network;

at least one first wide area network router for connecting a corresponding one of said at least one second local area network of said at least one intermediate data collecting subsystem to said at least one wide area network; and

at least one second wide area network router for connecting a corresponding one of said at least one third local area network of said at least one central subsystem to said at least one wide area network.

95. A communication network as in claim 94 wherein said at least one first wide area network and said at least one second wide area network comprise a carrier cloud which utilizes a frame relay method for transmitting the data.

96. A communication network as in claim 95 wherein said at least one second local area network and said at least one third local area network further comprise a corresponding one of at least one network switch for routing data within said at least one second local area network and said at least one third local area network; and further wherein said data comprises at least one of, (a) electronic transactions from credit cards, smart cards and debit cards, signature data or biometric data, and (b) paper transactions from documents and receipts.

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97. A method for transmitting data within and between one or more remote subsystems, at least one intermediate subsystem and at least one central subsystem in a tiered manner wherein each of the central subsystems communicate with at least one intermediate subsystem and each of the intermediate subsystems communicate with at least one remote subsystems comprising:

capturing an image of documents and receipts and extracting data therefrom;

transmitting data within remote locations;

transmitting data from each remote location to corresponding intermediate locations;

transmitting data within the intermediate locations;

the intermediate locations calling the remote locations;

transmitting data from each intermediate location to corresponding central locations; and

transmitting data within the central locations.

98. A method as in claim 97 wherein said transmitting data from each remote location to corresponding intermediate locations step comprises:

connecting each remote location to a corresponding intermediate location; and

connecting the intermediate locations to corresponding remote locations.

99. A method as in claim 98 wherein said transmitting data from each intermediate location to corresponding central locations comprises:

connecting each intermediate location to an external communication network; and

connecting the corresponding central locations to the external communication network.

100. A method as in claim 99 wherein said transmitting data from each intermediate location to corresponding central locations further comprises:

packaging the data into frames; and

transmitting the frames through the external communication network.

101. A method as in claim 97 wherein said data is obtained from at least one of, (a) electronic transactions from credit cards, smart cards and debit cards, signature data or biometric data, and (b) paper transactions from documents and receipts.

102. A communication network for the transmission of data comprising data from credit card transactions within and between one or more remote data processing subsystems, at least one intermediate data collecting subsystem and at least one central data processing subsystem forming a tiered architecture wherein each of said at least one central data processing subsystem communicate with a corresponding some of said at least one intermediate data collecting subsystem and each of said at least one data collecting subsystem communicate with a corresponding some of said one or more remote data processing subsystems, said remote data processing subsystem including an imaging subsystem for capturing images of documents and receipts, comprising:

at least one first local area network that transmits data comprising data from credit card transactions within a corresponding one of said one or more remote data processing subsystems;

at least one second local area network that transmits data comprising data from credit card transactions within a corresponding one of said at least one intermediate data collecting subsystem;

at least one third local area network that transmits data comprising data from credit card transactions within a corresponding one of said at least one central data processing subsystem; and

at least one wide area network that transmits data comprising data from credit card transactions between said one or more remote data processing subsystems, said at least one intermediate data collecting subsystem and said at least one central data processing subsystem.

103. A communication network as in claim 102 further comprising:

at least one first modem for connecting said at least one first local area network of said one or more remote data processing subsystems to a corresponding one of said at least one second local area network through said at least one wide area network;

at least one bank of modems for connecting said at least one second local area network of said at least one intermediate subsystem to a corresponding some of said at least one first local area network of said one or more remote data processing subsystems through said at least one wide area network;

at least one first wide area network router for connecting a corresponding one of said at least one second local area network of said at least one intermediate data collecting subsystem to said at least one wide area network; and

at least one second wide area network router for connecting a corresponding one of said at least one third local area network of said at least one central data processing subsystem to said at least one wide area network.

104. A communication network as in claim 103 wherein said at least one first wide area network and said at least one second wide area network comprise a carrier cloud which utilizes a frame relay method for transmitting the data.

105. A communication network as in claim 104 wherein said at least one second local area network and said at least one third local area network further comprise a corresponding one of at least one network switch for routing data within said at least one second local area network and said at least one third local area network; and wherein said transmitted data further comprises data from at least one of, (a) electronic transactions from smart cards and debit cards, signature data or biometric data, or (b) paper transactions from documents and receipts.

106. A method for transmitting data comprising data from credit card transactions within and between one or more remote subsystems, at least one intermediate subsystem and at least one central subsystem in a tiered manner wherein each of the central subsystems communicate with at least one intermediate subsystem and each of the intermediate subsystems communicate with at least one remote subsystems, comprising:

capturing an image of documents and receipts and extracting data comprising data from credit card transactions therefrom;

transmitting data comprising data from credit card transactions within remote locations;

transmitting data comprising data from credit card transactions from each remote location to corresponding intermediate locations;

transmitting data comprising data from credit card transactions within the intermediate locations;

transmitting data comprising data from credit card transactions from each intermediate location to corresponding central locations; and

transmitting data comprising data from credit card transactions within the central locations.

107. A method as in claim 106 wherein said transmitting data from each remote location to corresponding intermediate locations step comprises:

connecting each remote location to a corresponding intermediate location; and

connecting the intermediate locations to corresponding remote locations.

108. A method as in claim 107 wherein said transmitting data from each intermediate location to corresponding central locations comprises:

connecting each intermediate location to an external communication network; and

connecting the corresponding central locations to the external communication network.

109. A method as in claim 108 wherein said transmitting data from each intermediate location to corresponding central locations step further comprises:

packaging the data into frames; and

transmitting the frames through the external communication network.

110. A communication network for the transmission of data comprising data from internet transactions within and between one or more remote data processing subsystems, at least one intermediate data collecting subsystem and at least one central data processing subsystem forming a tiered architecture wherein each of said at least one central data processing subsystem communicate with a corresponding some of said at least one intermediate data collecting subsystem and each of said at least one intermediate data collecting subsystem communicate with a corresponding some of said one or more remote data processing subsystems, said remote data processing subsystem including an imaging subsystem for capturing images of documents and receipts, comprising:

at least one first local area network that transmits data comprising data from internet transactions within a corresponding one of said one or more remote data processing subsystems;

at least one second local area network that transmits data comprising data from internet transactions within a corresponding one of said at least one intermediate data collecting subsystem;

at least one third local area network that transmits data comprising data from internet transactions within a corresponding one of said at least one central data processing subsystem; and

at least one wide area network that transmits data comprising data from internet transactions between said one or more remote data processing subsystems, said at least one intermediate data collecting subsystem and said at least one central data processing subsystem.

111. A communication network as in claim 110 further comprising:

at least one first modem for connecting said at least one first local area network of said one or more remote data processing subsystems to a corresponding one of said at least one second local area network through said at least one wide area network;

at least one bank of modems for connecting said at least one second local area network of said at least one

intermediate data collecting subsystem to a corresponding some of said at least one first local area network of said one or more remote data processing subsystems through said at least one wide area network;

at least one first wide area network router for connecting a corresponding one of said at least one second local area network of said at least one intermediate data collecting subsystem to said at least one wide area network; and

at least one second wide area network router for connecting a corresponding one of said at least one third local area network of said at least one central data processing subsystem to said at least one wide area network.

112. A communication network as in claim 111 wherein said at least one first wide area network and said at least one second wide area network comprise a carrier cloud which utilizes a frame relay method for transmitting the data.

113. A communication network as in claim 112 wherein said at least one second local area network and said at least one third local area network further comprise a corresponding one of at least one network switch for routing data within said at least one second local area network and said at least one third local area network; and wherein said transmitted data further comprises data from at least one of, (a) electronic transactions from credit cards, smart cards and debit cards, signature data or biometric data, and (b) paper transactions from documents and receipts.

114. A method for transmitting data comprising data from internet transactions within and between one or more remote subsystems, at least one intermediate subsystem and at least one central subsystem in a tiered manner wherein each of the central subsystems communicate with at least one intermediate subsystem and each of the intermediate subsystems communicate with at least one remote subsystems comprising:

capturing an image of documents and receipts and extracting data comprising data from internet transactions therefrom;

transmitting data comprising data from internet transactions within remote locations;

transmitting data comprising data from internet transactions from each remote location to corresponding intermediate locations;

transmitting data comprising data from internet transactions within the intermediate locations;

transmitting data comprising data from internet transactions from each intermediate location to corresponding central locations; and

transmitting data comprising data from internet transactions within the central locations.

115. A method as in claim 114 wherein said transmitting data from each remote location to corresponding intermediate locations comprises:

connecting each remote location to a corresponding intermediate location; and

connecting the intermediate locations to corresponding remote locations.

116. A method as in claim 115 wherein said transmitting data from each intermediate location to corresponding central locations comprises:

connecting each intermediate location to an external communication network; and

connecting the corresponding central locations to the external communication network.

117. A method as in claim 116 wherein said transmitting data from each intermediate location to corresponding central locations step further comprises:

packaging the data into frames; and

transmitting the frames through the external communication network.

118. A communication network for the transmission of data in a secure manner comprising:

at least one remote data processing subsystem;

at least one intermediate data collecting subsystem;

at least one central data processing subsystem;

said at least one remote data processing subsystem, said at least one intermediate data collecting subsystem, and said at least one central data processing subsystem forming a tiered architecture;

said data being transmitted in a secure manner within and between said at least one remote data processing subsystem, said at least one intermediate data collecting subsystem, and said at least one central data processing subsystem;

wherein each of said at least one central data processing subsystem communicate with a corresponding some of said at least one intermediate data collecting subsystem and each of said at least one intermediate data collecting subsystem communicate with a corresponding some of said at least one remote data processing subsystem;

said remote data processing subsystem including an imaging subsystem for capturing images of documents and receipts;

said communication network further including:

at least one first local area network for transmitting data within a corresponding one of said at least one remote data processing subsystem;

at least one second local area network for transmitting data within a corresponding one of said at least one intermediate data collecting subsystem;

at least one third local area network for transmitting data within a corresponding one of said at least one central data processing subsystem; and

at least one wide area network for transmitting data between said at least one remote data processing subsystem, said at least one intermediate data collecting subsystem and said at least one central data processing subsystem.

119. A communication network as in claim 118 wherein said at least one remote data processing subsystem uniquely identifies the remote data processing subsystem used by a customer.

120. A communication network as in claim 118 wherein said at least one remote data processing subsystem uniquely identifies the remote data processing subsystem used by a customer and at least one of, encrypts and tags the data.

121. A method for transmitting data in a secure manner within and between at least one remote subsystem, at least one intermediate subsystem and at least one central subsystem, said method comprising:

arranging said at least one remote subsystem, said at least one intermediate subsystem, and said at least one central subsystem in a tiered manner;

each of said at least one central subsystem communicating with said at least one intermediate subsystem;

each of said at least one intermediate subsystem communicating with said at least one remote subsystem;

capturing an image of documents and receipts and extracting data therefrom;

transmitting data within remote locations;

transmitting data from each remote location to corresponding intermediate locations;

transmitting data within the intermediate locations;

transmitting data from each intermediate location to corresponding central locations; and

transmitting data within the central locations.

122. The method as in claim 121 further comprising uniquely identifying the at least one remote subsystem used by a customer.

123. The method as in claim 121 further comprising:

uniquely identifying the at least one remote subsystem used by a customer; and

at least one of, encrypting and tagging data.

* * * * *

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/007,829	11/25/2005	5910988		5961

40401	7590	11/30/2006

HERSHKOVITZ & ASSOCIATES
2845 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER

DATE MAILED: 11/30/2006

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

THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

JEFFREY P. KUSHAN

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1501 K STREET, NW

WASHINGTON, DC 20005

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO 90/007829

PATENT NO. 5,910,988

ART UNI 3993

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified ex parte reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a replly has passed, no submission on behalf of the ex parte reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

	Control No. 90/007,829	Patent Under Reexamination 5910988
Office Action in Ex Parte Reexamination	**Examiner** Michael O'Neill	**Art Unit** 3993

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

a☐ Responsive to the communication(s) filed on _____ .   b☐ This action is made FINAL.

c☒ A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire <u>2</u> month(s) from the mailing date of this letter.
Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**
If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I   THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.   3. ☐ Interview Summary, PTO-474.

2. ☐ Information Disclosure Statement, PTO/SB/08.   4.   ☐ _____ .

Part II   SUMMARY OF ACTION

1a. ☒ Claims *1-50* are subject to reexamination.

1b. ☐ Claims _____ are not subject to reexamination.

2. ☐ Claims _____ have been canceled in the present reexamination proceeding.

3. ☐ Claims _____ are patentable and/or confirmed.

4. ☒ Claims *1-50* are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ The drawings, filed on _____ are acceptable.

7. ☐ The proposed drawing correction, filed on _____ has been (7a)☐ approved (7b)☐ disapproved.

8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some*   c)☐ None   of the certified copies have

     1☐ been received.

     2☐ not been received.

     3☐ been filed in Application No. _____ .

     4☐ been filed in reexamination Control No. _____ .

     5☐ been received by the International Bureau in PCT application No. _____ .

     * See the attached detailed Office action for a list of the certified copies not received.

9. ☐ Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.

10. ☐ Other: _____

Reexamination Procedures

In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office action. Submissions after the next Office action, which is intended to be a final action, will be governed by the requirements of 37 CFR 1.116, after final rejection and 37 CFR 41.33 after appeal, which will be strictly enforced.

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.550(a)). Extension of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 5,910,988 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

Patent owner is notified that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR 1.530(d)-(j), must be formally presented pursuant to 37 CFR 1.52(a) and (b), and must contain any fees required by 37 CFR 1.20(c).

After the filing of a request for reexamination by a third party requester, any

document filed by either the patent owner or the third party requester must be served on

the other party (or parties where two or more third party requester proceedings are

merged) in the reexamination proceeding in the manner provided in 37 CFR 1.248. See

37 CFR 1.550(f).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 16, 18, 26, 29, 36, 42 and 46 through 50 rejected under 35

U.S.C. 102(b) as being anticipate by Campbell, et al. (USPN 5,373,550).

The below claim charts identify the claim limitation vis-à-vis Campbell, et al.'s

disclosure of said limitation.

Claim 1	Campbell et al.
A system for central management, storage and report generation of remotely captured paper transactions from documents and receipts comprising:	"Checks used to effectuate commercial and private <u>transactions</u> may be cleared through the banking system by <u>transporting images of those checks between sending institutions and receiving institutions</u> in forward and reverse flow paths between banks of first deposit and payor banks. The check images are transported through a public switched telephone network which contains a special check imaging node which provides a network based <u>check clearing service</u> for customers of telephone network. The check imaging node receives images of checks from institutions which subscribe to this service and routes those images through the telephone network to intended subscriber and non-subscriber recipients....." (Campbell, et al., Abstract.)

one or more remote data access subsystems for	Remote data access subsystem = <u>sending institution</u> 14. "The sending institution 14 is a subscriber to the telecommunications services provided by the node 12." ... "For example, <u>the sending institution 14</u> may be a payor bank and the receiving institution may be a bank of first deposit which are involved in a processes of returning a check dishonored by institution 14 to the institution 16. Alternatively, the sending institution 14 may be a bank of first deposit which is in the process of forwarding checks to an institution 16 which is acting as a payor bank." (Campbell, et al., Col. 2, ll. 32-45.)
capturing and	"The sending institution 14 possesses <u>check imaging equipment 18 which produces electrical or optical signals representing the image of a check.</u>" (Campbell, et al., Col. 2, ll. 64-66.)
sending	"The <u>images</u> produced by the equipment 18 are directed to a network interface 20 which converts the signals from the equipment 18 into signals suitable for <u>transmission</u> on the telephone network 10." (Campbell, et al., Col. 3, ll. 17-20.)
paper transaction data and	"The controller 42 may read some <u>data accompanying check images</u>, for example, it may identify that TCP/IP protocol information accompanying those images. That information may instruct the node 12 about <u>the identity of the sending institution</u> and the intended receiving institution." (Campbell, et al., Col. 5, ll. 23-28.)
subsystem identification information comprising	"The assembler/disassembler 40 [at the processing node 12] may read certain <u>overhead information accompanying the images</u>, including frame relay flags, <u>identifiers</u>, <u>address bits</u>, <u>indicators</u>, and other overhead information." (Campbell, et al., Col. 5, ll. 2-5.)
at least one imaging subsystem for capturing the documents and receipts and	"The <u>sending institution 14 possesses check imaging equipment 18</u> which produces electrical or optical signals representing the image of a check .... <u>The imaging equipment may be large multiworkstation systems available from companies such as IBM, UNISYS, or NCR.</u> (Campbell, et al., Col. 2, l. 64 to Col. 3, l. 12.)
at least one data access controller for managing the capturing and sending of the transaction data;	"The images produced by the equipment 18 are directed to a <u>network interface 20 which converts the signals from the equipment 18 into signals suitable for transmission on the telephone network 10.</u>" (Campbell et al., Col. 3, ll. 17-20.)
at least one central data processing subsystem for	"The network 10 contains at least one check <u>image processing node 12 which provides check clearance services.</u> The node 12 receives images of checks from a sending institution 14 transmitted through the network 10. The node 12 <u>processes the</u>

	check images and sends them to a receiving institution 16." (Campbell, et al., Col. 2, ll. 26-32.)
processing,	"[T]he processing node 12 receives check images and performs certain <u>processing</u> procedures on those images, including at least temporary storage of the received check images." (Campbell, et al., Col. 3, ll. 55-58.)
sending,	"The node 12 contains a frame relay assembler/disassembler 40 which <u>receives</u> frames of digital information representing check images sent by service subscribers to the network 38. The assembler/disassembler 40 also <u>transmits</u> frames of digital information representing check images to the network 38 after those images have been processed by the node 12. A node controller and router 42 controls the routing of check images to their intended destinations, both in the controller and to their ultimate destinations outside the network 38." (Campbell, et al., Col. 4, ll. 30-39.)
verifying and	Verify: "The controller 42 may receive instructions from the work center 54 through the interface 52 to <u>control changes made to the information in the database 46</u>. These changes may include the addition or changes to personal identification numbers or bank related data." (Campbell, et al., Col. 5, ll. 31-39.)
storing	Storing: Data that is received, transmitted, changed, read, identified is axiomatically stored in the system.
the paper transaction data and the subsystem identification information comprising	"The controller 42 may read some <u>data accompanying check images</u>, for example, it may identify that TCP/IP protocol information accompanying those images. That information may instruct the node 12 about the <u>identity of the sending institution</u> and the intended receiving institution." (Campbell, et al., Col. 5, ll. 23-28.)
a management subsystem for managing the processing, sending and storing of the of the transaction data; and	"A <u>node controller and router 42 controls</u> the routing of check images to their intended destinations, both in the controller and to their ultimate destinations outside the network 38." (Campbell, et al., Col. 4, ll. 36-39.) "The <u>node controller and router 42 provides interfaces to systems external to the node 12</u>. It is connected to all the other subsystems in the node 12 by way of the local area network 56 ... The controller 42 may also be configured to handle information encrypted by sending institutions to provide security for the images transported by the network 38. The controller 42 may have its own encryption and decryption equipment to provide a secure environment in the node 12." (Campbell, et al., Col 5, ll. 14-60.)

at least one communication network for the transmission of the transaction data	"The image of a check is created in a sending institution and sent to a receiving institution by means of the public switched telephone network." (Campbell, et al., Col. 2, ll. 20-22.) "The public switched telephone network 10 may be a telephone network provided by a local exchange carrier ...The network may be digital or analog. Two examples of suitable digital networks are a packet network and a frame relay network, such as the existing packet and frame relay networks now provided by carriers such as AT&T." (Campbell, et al., Col. 2, ll. 50-63.)
within and	"A local area network 56 connects the subsystems of the node 12 described above." (Campbell, et al., Col. 4, ll. 56-58.) "The images produced by the equipment 18 are directed to a network interface 10 which converts the signals from the equipment 18 into signals suitable for transmission on the telephone network 10." (Campbell, et al., Col. 3, ll. 17-20.)
between said one or more data access subsystems and said at least one data processing subsystem,	"The network access lines 22 may comprise any form of transmission line suitable for carrying the expected volume of check image traffic between the sending institution 14 and the telephone network 10. For example, the network access lines 22 may comprise one or more digital transmission lines operating at speeds of about 2400 bits per second to about 1.544 megabits per second or more. Connection to the network 10 may be by an ordinary dial up line or by a dedicated private line." (Campbell, et al., Col. 3, ll. 20-31.)
with the data access subsystem providing encrypted subsystem identification information and encrypted paper transaction data to the data processing subsystem.	"The controller 42 may also be configured to handle information encrypted by sending institutions to provide security for the images transported by the network 38. The controller 42 may have its own encryption and decryption equipment to provide a secure environment in the node 12." (Campbell, et al., Col. 5, ll. 55-60.) This implies that the sending bank 14 is capable of sending encrypted information. This information includes check images and also information "about the identity of the sending institution." (Campbell, et al., Col. 5, ll. 26-27.)

Claims 2, 16, 18 depend from claim 1. How Campbell, et al. discloses the

limitations found within these claims has been fully explained in the Exhibit entitled

"Element by element comparison of claims 1-41 of the '988 Patent to Campbell, et al.

(U.S. Patent No. 5,373,550)" that the requester presented in its request of reexamination.

This Exhibit is incorporated herein as the analysis demonstrating the correlation between