TimeBase Pty Ltd. v. Thomson Corporation, The et al Doc. 41 Att. 20

Exhibit 5
Part 16
To Third Declaration of
Joseph N. Hosteny

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US006032137C1

(12) EX PARTE REEXAMINATION CERTIFICATE (6063rd)

United States Patent
Ballard

(10) **Number: US 6,032,137 C1**
(45) **Certificate Issued: Dec. 25, 2007**

(54) **REMOTE IMAGE CAPTURE WITH CENTRALIZED PROCESSING AND STORAGE**

(75) Inventor: **Claudio R. Ballard**, Lloyd Harbor, NY (US)

(73) Assignee: **Datatreasury Corporation**, Melville, NY (US)

Reexamination Request:
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(51) **Int. Cl.**

G06Q 20/00	(2006.01)
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G06K 17/00	(2006.01)
H04L 9/00	(2006.01)

(52) **U.S. Cl.** **705/75**

(58) **Field of Classification Search** ..... None
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,205,780 A	6/1980	Burns et al.
4,264,808 A	4/1981	Owens et al.
4,268,715 A	5/1981	Atalla
4,321,672 A	3/1982	Braun et al.
4,404,649 A	9/1983	Nunley et al.
4,500,750 A	2/1985	Elander et al.

(Continued)

FOREIGN PATENT DOCUMENTS

CA	2131667	6/1995
EP	0593209 A	4/1994
EP	0661654 A2	7/1995
WO	WO 90/04837 A	5/1990
WO	WO 91/06058 A	5/1991
WO	WO 97/07468	2/1997
WO	WO 97/22060	6/1997
WO	WO 98/47100 A	10/1998
WO	WO 98/58356 A	12/1998

OTHER PUBLICATIONS

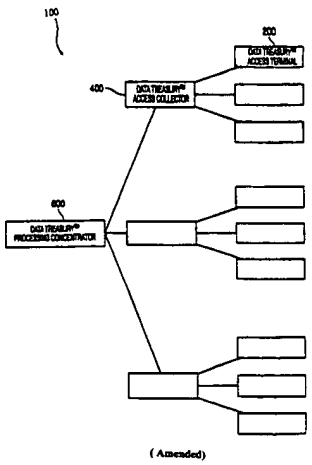
BancTec's Proposal to the Federal Reserve Bank of Boston, "Technical Volume: Check Image Processing Archive and Retrieval System," Jul. 8, 1994, JPMC-BANCT 002960-003299.

(Continued)

Primary Examiner—Peter C. English

(57) **ABSTRACT**

A system for remote data acquisition and centralized processing and storage is disclosed called the Data Treasury™ System. The DataTreasury™ System provides comprehensive support for the processing of documents and electronic data associated with different applications including sale, business, banking and general consumer transactions. The system retrieves transaction data such as credit card receipts checks in either electronic or paper form at one or more remote locations, encrypts the data, transmits the encrypted data to a central location, transforms the data to a usable form, performs identification verification using signature data and biometric data, generates informative reports from the data and transmits the informative reports to the remote locations(s). The DataTreasury™ System has many advantageous features which work together to provide high performance, security, reliability, fault tolerance and low cost. First, the network architecture facilitates secure communication between the remote location(s) and the central processing facility. A dynamic address assignment algorithm performs load balancing among the system's servers for faster performance and higher utilization. Finally, a partitioning scheme improves the error correction process.



(Amended)

U.S. PATENT DOCUMENTS

4,578,530	A	3/1986	Zeidler
4,602,936	A	7/1986	Green et al.
4,652,990	A	3/1987	Pailen et al.
4,675,815	A	6/1987	Kuroki et al.
4,723,283	A	2/1988	Nagasawa et al.
4,745,267	A	5/1988	Davis et al.
4,748,557	A	5/1988	Tamada et al.
4,755,940	A	7/1988	Brachtl et al.
4,757,543	A	7/1988	Tamada et al.
4,771,460	A	9/1988	Tamada et al.
4,882,779	A	11/1989	Rahtgen
4,910,774	A	3/1990	Barakat
4,912,762	A	3/1990	Lee et al.
4,922,503	A	5/1990	Leone
4,941,125	A	7/1990	Boyne
4,961,142	A	10/1990	Elliott et al.
4,962,531	A	10/1990	Sipman et al.
4,977,595	A	12/1990	Ohta et al.
4,985,921	A	1/1991	Schwartz
5,003,594	A	3/1991	Shinagawa
5,014,311	A	5/1991	Schrenk
5,016,277	A	5/1991	Hamilton
5,053,607	A	10/1991	Carlson et al.
5,054,096	A	10/1991	Beizer
5,081,680	A	1/1992	Bennett
5,123,047	A	6/1992	Rosenow
5,159,548	A	10/1992	Caslavka
5,163,098	A	11/1992	Dahbura
5,168,444	A	12/1992	Cukor et al.
5,170,466	A	12/1992	Rogan et al.
5,175,766	A	12/1992	Hamilton
5,185,798	A	2/1993	Hamada et al.
5,195,133	A	3/1993	Kapp et al.
5,200,993	A	4/1993	Wheeler et al.
5,214,697	A	5/1993	Saito
5,233,656	A	8/1993	Landgrand et al.
5,235,433	A	8/1993	Clarkson et al.
5,241,600	A	8/1993	Hillis
5,256,863	A	10/1993	Ferguson et al.
5,259,025	A	11/1993	Monroe et al.
5,274,567	A	12/1993	Kallin
5,287,497	A	2/1994	Behera
5,317,637	A	5/1994	Pichlmaier et al.
5,321,816	A	6/1994	Rogan et al.
5,337,358	A	8/1994	Axelrod et al.
5,341,428	A	8/1994	Schatz
5,343,529	A	8/1994	Goldfine et al.
5,373,550	A	12/1994	Campbell et al.
5,396,558	A	3/1995	Ishiguro et al.
5,408,531	A	4/1995	Nakajima
5,440,634	A	8/1995	Jones et al.
5,446,796	A	8/1995	Ishiguro et al.
5,454,575	A	10/1995	Del Buono
5,473,143	A	12/1995	Vak et al.
5,502,765	A	3/1996	Ishiguro et al.
5,506,691	A	4/1996	Bednar et al.
5,524,073	A	6/1996	Stambler
5,528,705	A	6/1996	Reasoner, Jr. et al.
5,539,822	A	7/1996	Lett
5,539,825	A	7/1996	Akiyama et al.
5,544,043	A	8/1996	Miki et al.
5,544,255	A	8/1996	Smithies et al.
5,557,518	A	9/1996	Rosen
5,577,121	A	11/1996	Davis et al.
5,596,642	A	1/1997	Davis et al.
5,602,936	A	2/1997	Green et al.
5,604,802	A	2/1997	Holloway
5,608,800	A	3/1997	Hoffmann et al.
5,615,269	A	3/1997	Micali
5,621,796	A	4/1997	Davis et al.
5,621,797	A	4/1997	Rosen
5,623,547	A	4/1997	Jones et al.
5,625,694	A	4/1997	Lee et al.
5,629,981	A	5/1997	Nerlikar
5,633,930	A	5/1997	Davis et al.
5,642,419	A	6/1997	Rosen
5,659,616	A	8/1997	Sudia
5,668,897	A	9/1997	Stolfo
5,682,549	A	10/1997	Tanaka et al.
5,708,810	A	1/1998	Kern et al.
5,754,673	A	5/1998	Brooks et al.
5,760,916	A	6/1998	Dellert et al.
5,784,610	A	7/1998	Copeland, III et al.
5,790,260	A	8/1998	Myers
5,832,463	A	11/1998	Funk
5,832,464	A	11/1998	Houvener et al.
5,857,034	A	1/1999	Tsuchiya et al.
5,870,725	A	2/1999	Bellinger et al.
5,884,271	A	3/1999	Pitroda
5,926,288	A	7/1999	Dellert et al.
5,973,731	A	10/1999	Schwab
6,032,137	A	2/2000	Ballard
6,108,104	A	8/2000	Tesavis
6,115,509	A	9/2000	Yeskel
6,145,738	A	11/2000	Stinson et al.

OTHER PUBLICATIONS

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

Federal Reserve Bank of Boston, "Request for Proposal for Check Image Processing and Archival and Retrieval Systems for The Federal Reserve," Apr. 21, 1994, JPMC 152558–152803.

IBM's Proposal to the Federal Reserve Bank of Boston, Nov. 7, 1991, "IBM Proposal For FRB Phase Four: Image Archive System," JPMC 279955–280128, Yeskel Exhibit 1.

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

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

"MagTek Unveils Excella, a Dual–side Scanner foe 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 August 12, 1997 (Exhibit 19).

Press Release "MagTek Adds Enhanced Reading to MicrimageTM," 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).

Unisys, New York Clearing House, "A Proposal for an Image–Based Return Item Processing System," Jun. 1991, Unisys Document No. PDC 1010–16, JPMC–NYCH018091–018216.

"About FSTC: FSTC History," FSTC, 2003.

American National Standard For Financial Image Interchange ("ANSI"): Architecture, Overview and System Design Specification, X9,xx 0.7, dated: 1994.

Anderson, "Electronic Check and Check Law," letter to Robert Ballen, Apr. 8, 1996.

Ansi6v4[1].ppt—PowerPoint Presentation—FSTC—Financial Services Technology Consortium, Sep. 30 to Oct. 1, 1996.
"AT&T Global offers one-step imaging," American Banker, vol. 159, No. 39, p. 14A(1), Feb. 28, 1994.
"AT&T Partners with Fiserv to Form Single Source Provider for Leading Image Item Processing Solutions," PR Newswire, at 913CL011, Sep. 13, 1995.
ATZEL, (email to Hambro, Oct. 9, 2001).
"At Your Service. . . ," Federal Reserve Bank of Kansas City, 1995.
"Baby boomers, Generation X are both addicted to ATM," AT&T News Release, Feb. 28, 1995.
"BancTec Inc. has received another order for its image statement processing product (First National Bank of Chicago orders)," Nov. 13, 1991.
BancTec's Proposal to the Federal Reserve Bank of Boston, "Technical Volume: Check Image Processing Archive and Retrieval System," Jul. 8, 1994, JPMC-BANCT 002960-003299 and JPMC-BANCT 001017-001144.
Banet, B., "Document image processing, 1991: The imaging edge," Seybold Rep. on Publishing Systs, vol. 20, No. 19, Jun. 24 1991.
"Bank Automation News," Finance & Banking Newsletter, vol. 9, Iss. 6, Apr. 2, 1997.
"Banks to Check Out Imaging (Solutions)," Communications Week International, 1992, No. 093, p. 46, Oct. 19, 1992.
Barhel, M., "NCR and Unisys exchange check images in a pivotal test (computer makers test compatibilty of check imaging systems)," American Banker, vol. 158, No. 67, p. 3(1), Apr. 8, 1993.
Barthel, Matt, "Unisys, Banctec offer PC-based imaging: high-tech check statements produced; community banks are market," American Banker, vol. 157, No. 195, p. 3(1), Oct. 8, 1992.
Bartholomew, D., "More Checks on Checks—Bank of America plan to convert to an IBM imaging system that screens checks faster and more thoroughly (spotlight)," Informationweek, 1994, No. 504, p. 32, Dec. 5, 1994.
"Bill Processing: US West Re-Engineers with $7.2 Million Unisys Image-based Remittance Processing Solution," EDGE, on & about AT&T, vol. 10, No. 378, Oct. 23, 1995.
Blankenhorn, D., "Cincinnati Bell and Unisys go into bank imaging," Newsbytes, p. NEW10240020, Oct. 24, 1990.
Block, V., "USAA Federal gets imaging system," American Banker, vol. 159, No. 49, p. 6A(1), Mar. 14, 1994.
Booker, E., "Bank to test scalable NCR imaging for check processing," Computerworld, pp. 66, Dec. 14, 1992.
Brown, J., "Imaging may dramatically alter bank data networks," Network World, vol. 6, No. 19, p. 6(2), May 15, 1989.
Buchok, J., "OCR gets processing credit," Computing Canada, vol. 19, No. 26, Dec. 20, 1993.
"Chase's New Image," Information Week, No. 517, at 14, Mar. 16, 1995.
Check[1].ppt—Powerpoint Presentation—Current Check Flow, Dec. 12, 1995.
"Check Image Exchange Project (a.ka. Interbank Check Imaging Project," at www.fstc.org/projects/imaging/index.cfm.
"Check-Image Interchange Inches Closer," Bank Technology News, vol. 10, No. 1, p. 19+, Jan. 1997.
"Checks & Checking: Check Imaging at the Teller Station (Alliance Integration & Services Inroduces Imaging System that can be Installed at Bank Teller Stations)," Bank Technology News, vol. 9, No. 10, at 37, Oct. 1996.
"Chemical Chooses IBM Check Imaging (Chemical Banking Corp to install IBM's ImagePlus High Performance Transaction System to process 9 mil checks daily," Bank Technology News, vol. 8, No. 9, p. 11, Sep. 1995.
"Cincinnati Bell: CBIS & Unisys in Major Imaging Agreement," EDGE, on & about AT&T, vol. 5, No. 118, Oct. 29, 1990.
"Cincinnati Bell Information Systems (Integrator Briefs)," Computer Reseller News, 1993, No. 534, p. 129, Jul. 12, 1993.
Complaint in *Data Treasury Corp.* v. *Bank One Corp.*, Cause No. 3-03CV0059-K, In the United States District Court for the Northern District of Texas, Dallas Division.
Complaint in *Data Treasury Corp.* v. *First Data Corporation, et al.*, Cause No. 502CV094, In the United States District Court for the Eastern District of Texas, Texarkana Division.
Complaint in *Data Treasury Corp.* v. *RDM Corp., a.k.a. Research Development and Manufacturing Corp.*, Cause No. 3-02CV2641-M, in the United States District Court for the Northern District of Texas, Dallas Division.
Complaint in *Data Treasury Corp.* v. *Ingenico S.A., et al.*, Cause No. 502CV095, In the United States Dstrict Court for the Eastern District of Texas, Texarkana Division.
Complaint in *Data Treasury Corp.* v. *J.P. Morgan Chase & Co., et al.*, Cause No. 502CV124, In the United States District Court for the Eastern District of Texas, Texarkana Division.
"Computerm Announces Remote Check Imaging Support for VMC 8200 High-Speed Channel Extension System," PR Newswire at 408LAM012, Apr. 8, 1996.
"Computerm Eases Remote Imaging," American Banker, vol. 158, No. 156, at 13A(1), August 16, 1993.
"Computerm Enables Boatmen's Bancshares to Execute Remote Check Imaging," PR Newswire at 408LAM013, Apr. 8, 1996.
Cooney, M., "Frame relay comes to Computer extenders," Network World, Jun. 28, 1993.
Cortese, Amy, "Image Yields Interest at Banks (Collaboration Results in Imaging System to Automate Check Processing," ComputerWorld, at 6, Mar. 19, 1990.
Costanzo, C., "As Banks Cling to the Conventional, Check-Imaging Struts Its Stuff," Bank Technology News, p. 1, Mar. 1994.
Crockett, B., "Systematics to use deposited-check imaging; installation at firm's N.J. center would be the first to outsourcer," American Banker, vol. 158, No. 95, p. 3(1), May 19, 1993.
Crone, "Reducing Data Processing Costs with a Remote Item Processing System," Bank Administration, Oct. 1986, pp. 44-46.
Daly, B., "Unisys Acquires Visual Impact Solution for Check Processing, Archive and Image Delivery," Business Wire, p. 9181204, Sep. 18, 1997.
Daly, B., "Unisys provides services to Bank of the West to support retail banking," Business Wire, p. 9180098, Sep. 18, 1995.
"Data Compression Over Frame Relay Implementation Agreement FRF.9," Jan. 22, 1996, downloaded at http://www.frforum.com/5000/Approved/FRF.9/frf9.pdf.

"Defendants' Final Invalidty Construction Pursuant to Fourth Amended Docket Control Order and Patent Local Rules 3-3 and 3-6," pp. 1-21, Civil Action No. 5:03-CV-039 (DF), Dec. 13, 2005.

"Defendants Ingenico S.A. and Ingenico, Inc.'s Preliminary Invalidity Contentions," in *Data Treasury Corp.* v. *Ingenico S.A. et al.*, Cause No. 502CV095, In the United States District Court of Texas, Texarkana Division.

"Defendants' Preliminary Invalidity Construction Pursuant to Patent Local Rules 3-3 and 3-4," in *Data Treasury Corp.*, v. *First Data Corporation, et al.* Cause No. 502CV094, In the United States District Court of Texas, Texarkana Division.

Depompa, Barbara, "IBM Adds Image-Based Check Processing," MIS Week, vol. 11, No. 12, at 12(1), Mar. 19, 1990.

Description of the IBM "3174 Network Processor," Oct. 7, 1992, found on the web at the URL: http://ecc400.com/ibm/controllers/314prod.htm and http://www.commercecomputer.com/3174.html.

Dinan, Painter & Rodite, "ImagePlus High Performance Transaction System," IBM Systems Journal, vol. 29, No. 3, 1990, pp. 421-434.

Document Image Report, IntraFed Touts Remote Services, vol. 6, Issue 25, Dec. 11, 1996.

Dowell, "Security," email to fstc-image, Apr. 27, 1996.

Durham, D., "Broadway & Seymour to Invest in Two Strategic Initiatives," Business Ire, p. 03151248, Mar. 15, 1995.

eCheck: Homepage, 2003.

Electronic Imaging '88—Advanced Printing of Paper Summaries, vol. 1, Anaheim, California, Mar. 1998.

Electronic Imaging'88—Advanced Printing of Paper Summaries, vol. 1, Oct. 3-6, 1988, Boston, MA.

E-mail of May 10, 2006 titled "USPTO Reexam. C.N 90/007,829, Requested Date: Nov. 25, 2005" from "PT" <admin@patentrakker.com>.

"Entrust Ecryption and Digital Signature Explained," date unknown.

Evankovits, S., "Computer earns MCI 'Level' approval; Computer's industry exclusive native Frame Relay interface passes test for interoperability with MCI's Frame Relay services," Business Wire, Apr. 12, 1995.

Evans, J., "The end of the paper wait: document imaging (includes related articles on successful document imaging implementations at Borgess Medical Center, the Huntington Internal Medicine Group, the University of Alabama Health Services Foundation and Quest Diagnostic) (Industry Trend or Event)," Health Management Technology, vol. 18, No. 2, p. 16(5), Feb. 1997.

Fassett, W., "Impact of Imaging," Bank Management, vol. 67, No. 11, p. 56, Nov. 1991.

Federal Reserve Bank of Boston, "Request for Proposal for Check Image Processing and Archival and Retrieval Systems For The Federal Reserve," Apr. 21, 1994, JPMC 152558-152803.

Feighery, M., "NCR demonstrates systems for Insurance and accounting industry," AT&T News Release, May 31, 1992.

Feihery, M. and Brochonko, K., "NCR demonstrates full line of retail products at NRF conference," AT&T News Release, Jan. 18, 1993.

FileNet Product Brochure, "Introducing the Age Document-Image Processing," The PC Connection, and Wide-Area Image Communication and System Networking, 1998, 14 pages.

"Financial EDI over the Internet," Bank of America, 1996.

Financial Services Technology Consortium ("FSTC") Interbank Check Imaging Project White Paper, dated: Jun. 20, 1994.

Fisher, M., "IBM, Consumers continue work on document image processor," Datamation, vol. 34, No. 19, Oct. 1, 1988.

Fitch, "Digital image system speed return items, exceptions," Corporate Cashflow, May 1996.

Fitch, T., "Check image capture speeds up positive pay reconcilement," Corporate Cashflow, Feb. 1995.

Friedman, D., "Nixdorf Computer Imtroduces DCPA Image—A Sophisticated Document Image Processing System with Unique Capabilities," PR Newswire, Aug. 15, 1989.

FSTC Check Image Interchange Project, dated: May 25, 1995.

FSTC Check Image Interchange Project Pilot Phase 1A: Preliminary Architecture and Project Plan, dated: Jun. 30, 1995.

"FSTC Check Image Quality Subproject," date unknown.

FSTC Compilation of ANSI X9.46, Data Structure Reference, dated: Jul. 31, 1995.

FSTC Demonstrates Interbank Check Image Pilot; Multi-Vendor System Speeds check Clearing, Cuts Fraud—FSTC Pilot Lays Foundation for "Paper Check Truncation," www.ftsc.org/projects/imaging/public/information.cfm, Dec. 12, 1995.

"FSTC Image Exchange," May 21, 1996.

FSTC Image Quality Functional Requirements, dated: Jul. 26, 1995.

FSTC Interbank Check Imaging: Unisys Monthly Status Report, Jun. 26, 1996.

"FSTC Interbank Check Imaging: Unisys Monthly Status Report," Jul. 22, 1996.

FSTC Pilot Overview, dated: Apr. 3, 1995.

"FSTC: Projects—Check Image Exchange Project—Project Participants," at www.fstc.org/projects/imaging/participants/cfm.

FSTC Projects: The Bank Internet Payment System (BIPS): Leading the Way to Electronic Commerce, FSTC, 2003.

Garvey, M., "Check Processing Goes Digital—Chase Manhattan Bank to store checks electronically, saving time and money," Informationweek, 1997, No. 648, p. 20, Sep. 15, 1997.

Gawen, "PC Based Document Image Processing and Signature Verification," Proceedings of the Information & Image Management Conference, 1991, pp. 389-391.

"Global Concepts—Payment Systems Consulting," at www.global-concepts.com/image_archive.htm.

Griffith, M. and Mazzola, J., "National City, NCR form strategic imaging partnership," AT&T News Release, Nov. 9, 1992.

Gullo, K., "NCR, Unisys plan check imaging for IBM Systems," American Banker, vol. 156, No. 249, p. 1(2), Dec. 30, 1991.

Haig, J., "Unisys integrates retail/wholesale lockbox solution for remittance processors," Business Wire, p. 03251075, Mar. 25, 1997.

Haig, J., "Unisys solution will support check processing at Vermont Federal," Business Wire, p. 5201185, May 20, 1996.
Helm, Sylvia, "Banks check into image processing," Computers in Banking, vol. 7, No. 3, p. 25(7), Mar. 1, 1990.
Helm, S., "Who's doing what in image processing (includes definition of image processing," ABA Banking Journal, vol. 83, No. 1, p. 31(3), Jan. 1991.
"High Volume Data Capture Sans Paper" in Bank Systems Technology, May, 1996, p. 35.
Homa, "MICR Technology Helps Eliminate POS Check Fraud," Chain Store Age Executive, Sep. 1991.
Horine, J., "AT&T and Fiserv team to offer imaging solutions," Sep. 13, 1995.
"Huntington BancShares in the Forefront of Technology with Purchase of Unisys Check Imaging System," PR Newswire, p. 1, Oct. 11, 1989.
IBM Electronic Payment System Support/Check Processing Control Systems: Progress Reference and Operations Manual, dated: Jun. 1986.
"IBM FSTC Pilot Status".
IBM Product Announcement 190–040, (IBM 3898 Image Processor), dated: Mar. 13, 1990.
IBM Systems Journal, vol. 29, No. 3, 1990 (entire journal).
"IBM X9.46 Pilot Status—Summary," date unknown.
"Ibnamed, A Load Balancing Name Server Written in Perl," Sep. 17, 1995, located at the web at URL www.standford.edu.~schemers/docs/Ibnamed/Ibnamed.html.
"Ibnamed, A Load Balancing Name Server Written in Perl," Oct. 15, 2002, found on the web at the URL www.stanford.edu/~schemers/docs/Ibnamed/Ibnamed.html.
"ICI Project Security Work Session," May 10, 1996.
Image Archive Forum Flow Nos. 1–13, Sep. 1997.
Image Archive Forum Methology and Value, Sep. 19, 1997.
Image Archive Forum, "Payment System Task Force Economic Framework," Jan. 27, 1998.
ImagePlus brochure by IBM, 1991.
"Image Processing Survival Guide, vol. 11; Sure-Fire Strategies for Implementing Image Remittance," Philips Business Information, Inc., 1996.
"Image systems garner NOAC spotlight (American Bankers' Association's National Operations and Automation Conference)," Computer in Banking, vol. 6, No. 7, p. 8(4), Jul. 1989.
"Imaging products. Check Processing—IBM's ImagePlus High Performance Transaction System," United States Banker, vol. 100, No. 8, p. 23(3), Aug. 1990.
"Imaging vendors shape processing," Banking Management, vol. 69, No. 4, p. 29, Apr. 1993.
Imwalle, C. and Pratt, J., "250 U.S. banks to use NCR, Cincinnati Bell financial systems," AT&T News Release, May 4, 1993.
"Industry Security Leader Racal Supports Visa/Mastercard Proposal for Internet," PR Newswire Apr. 17, 1996.
INSPEC search with abstracts.
"Item processing leaps ahead with VisualImpact and Windows NT (Sponsored Supplement: Unlock Your Back Office with Microsoft Back Office)," US Banker, vol. 105, No. 6, p. S4(3), Jun. 1995.
Janusky, "FSTC Interbank Check Imaging," Apr. 29, 1996.
Janusky, "FSTC Interbank Check Imaging," May 22, 1996.
Joint Marketing & Referral Agreement Between ACS Image Solutions, Inc. and JPMorgan Chase Bank.
Jones, J., "Broadway & Seymour Announces Client/Server Product for Item and Image Processing," Business Wire, p. 03201186, Mar. 20, 1995.
Jones, J., "Broadway & Seymour announces new VISUALIMPACT release," Business Wire, p. 3291274, Mar. 29, 1996.
Klein, M., "Terminal Data to supply NCR with document microfilmers," AT&T News Release, Oct. 13, 1993.
Kraynak Maxfield, J., "Signet Processes Over 2,500 Documents/Hour in Unisys Check Imaging Tests," PR Newswire, p. 0409P8428, Apr. 9, 1991.
Kriskern, J., "Engineering a visionary solution," Datamation, vol. 36, No. 8, Apr. 15, 1990.
Kutler, J. "AT&T, IBM, Unisys join bank research group," American Banker, vol., 159, No. 124, p. 14(1), Jun. 29, 1994.
Lubetkin, S., "Unisys enters image processing market with two new products and major financial and industrial customers (product announcement)," PR Newswire, p. 1011PH009, Oct. 11, 1989.
Mantel, K., "Notes Gets in the Picture," Datamation, Jul. 15, 1992.
Marjanovic, "Payment Groups Square Off Over Electronic Check Plan," American Banker, date unknown.
Marjanovic, S., "Mich. National streamlines imaging with IBM system (check imaging)," American Banker, vol. 160, No. 176, Sep. 13, 1995.
Marjanovic, Steven, "Home Loan Bank to Offer Check-Image Statements to Members' Customers," American Banker, vol. 159, No. 248, at(1), Dec. 29, 1994.
Mazzola, J., "NCR and NYCH to develop image-based check notification system," AT&T News Release, Aug. 24, 1992.
Mazzola, J. and Hendrickson, L., "NCR deposit processing technology speeds banking operations," AT&T News Release, Dec. 7, 1992.
Mazzola, J. and Hendrickson, L., "Wachovia tests NCR's new imaging item processing system," AT&T News Release, Nov. 15, 1991.
Mazzola, J., Hendrickson, L. and Gatati, G., "NCR signs DSI alliance for imaging statement processing," AT&T News Release, Jul. 20, 1992.
Mazzola, J., Hendrickson, L., and Waters, R., "NCR, CKI to market image-based credit card chargeback system," Jan. 6, 1993.
Mazzola, J. and O'Donohue, M., "Frost National Bank selects NCR over old mainframe environment," AT&T News Release, Apr. 28, 1993.
McGinn, Janice, "IBM ImagePlus High Performance Transaction System (IBM Harness Image Processing to Make its 389x/XP Cheque Processor More Efficient),"Computergram International, No. 1389, at CG103210008, Mar. 21, 1990.
McKee, K., and Gundlach, D., "Retail Banking Solution enhanced," AT&T News Release, May 21, 1990.
Messmer, K., "Hurdles stand in way of electronic banking," Network World, p. 33, Sep. 4, 1995.
"Microsoft Introduces SNA Server Version 3.0, Begins Beta Testing," Microsoft Press Release, Aug. 29, 2006, found at: http://www.microsoft.com/presspass/press/1996/jun96/sna30pr.mspx.
Moore, J., "IBM, Unisys test check systems for Fed Reserve," Federal Computer Week, vol. 6, No. 21, p. 6(2), Jul. 27, 1992.

Moreau, Thierry, "Payment by Authenticated Facsimile Transmission, a Check Replacement Technology for Small and Medium Enterprises," Nov. 25, 2006, found at: http://www.connotech.com/PAYPROC.HTM.

Morris, H.M. and Orth, R.H., Image system communications, IBM Systems Journal, vol. 29, No. 3, 1990, pp. 371–383.

Murphy, P., "POD Check Imaging Faces Challenges (In 1995, vs. 1996, banks raised Invenstment in check imaging by 9% from $198 mil and $215 mil; new lost cost POD technology keeps costs down)," Bank Technology News, vol. 10, No. 3, p. 23, Mar. 1997.

"NCReports: Financial Services Trends and Technologies," Issue 1, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," Issue 2, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," Issue 3, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," Issue 4, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," Issue 5, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," vol. 1, Issue 6, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," vol. 1, Issue 7, NCR, Jan. 1997.

"NCReports: Financial Services Trends and Technologies," vol. 1, Issue 8, NCR, 1999.

NCR 7780 Brochure, copyrighted 1989.

"NCR—Hardware—7780 Mid-Range Item Processing Transport," at www.ncr.com/products/hardware/hw_7780_product.htm.

"NCR—Hardware—7780, Technical Specifications," at www.ncr.com/products/hardware/nw_7780_ts_product.htm.

"NCR offers new image-based Document Management System," AT&T News Release, Jun. 23, 1992.

"NCR Unveils Client-Server Check Imaging," Bank Technology News, vol. 9, No. 3, p. 23, Mar. 1, 1996.

Nixon, B., "Is check imaging for you? (automation in banking) (includes related article)," Savings & Community Banker, vol. 2, No. 10, p. 28(6), Oct. 1993.

No1016v4[1].ppt—PowerPoint Presentation—FSTC—Interbank Check Image Project, Sep. 30 to Oct. 1, 1996.

"NSSDC's Mass Storage System Evolves," Mar. 1995, found on the web at the URL: http://nssdc.gsfc.nasa.gov.nssdc_news.march95/09_i_behnke_0395.html.

O'Heney, S., "Prepare for the image revolution (Banker and Vendors) (image processing: includes related article listing image processing products) (buyers guide)," Computers in Banking, vol. 6, No. 10, p. 24(6), Oct. 1989.

"On the imaging technology front," American Banker, vol. CLXI, No. 68, p. 26, Apr. 10, 1996.

PACESBusReq3[1].doc—Microsoft Word Doc—"PACES Paperless Automated Check Exchange & Settlement—Business Requirement," Apr. 3, 1998.

PacesOverview40[1].ppt.—PowerPoint Presentation.

PACESPRO[1].doc—Microsoft Word Doc—"PACES Paperless Automated Check Exchange & Settlement—Project Proposal," Apr. 23, 1998.

PACESRequirements[1].doc—Microsoft Word Doc—"PACES Paperless Automated Check Exchange & Settlement—Requirements Document," Apr. 23, 1998.

Plesums, C.A. and Bartels, R.W., Large Scale Image Systems: USAA Case Study, IBM Systems Journal, vol. 29, No. 3, 1990, pp. 343–355.

"Preliminary Invalidity Contentions of Defendant's J.P. Morgan Chase & Co. and JPMorgan Chase Bank," in *Data Treasury Corp.* v. *J.P. Morgan Chase & Co., et al.,* Cause No. 502CV124, In the United States District Court for the Eastern District of Texas, Texarkana Division.

"Press Release, Cisco Partners with AT&T on Network Switch Manufacturing," Sep. 26, 1995, found on the web at http://www.lucent.com/press/0995/950926.mma.html.

Press Release, "NCR Document Management System Includes Kodak, Ricoh Products," Apr. 6, 1993.

Press Release, "NCR Inroduces Scalable Image Item Processing Solution," Jan. 19, 1996.

"Regions Bank Selects ImageSoft to Provide Image Solutions," Business Wire, at 9161220, Sep. 16, 1997.

Rivest, R.L., Shamir, A., Adleman, L., "A Method for Obtaining Digital Signatures and Public-Key Cryptosystems," date unknown.

Robinson, G., "Universal Card purchases BancTec ImageFIRST system," AT&T News Release, Dec. 22, 1992.

Roldan, Jr., "Image Quality White Paper," FSTC, 1999.

Roldan, M., "Paperless Automated Check Exchange and Settlement (PACBS) (status update) (PACES completes specification and design of image exchange environment and is accepted as part of SVPCO Image Strategy," FSTC, at www.fstc.org/project/paces/index.cfm, Jun. 22, 2000.

Roldan, Mariano, Financial Services Technology Consortium, "PACES Paperless Automated Check Exchange & Settlement Project Overview, PACES Planning Meeting, New York City," Dec. 19, 1997.

Schwartz, J., "Banks to Test Imaging for Clearing Checks," Communications Week, No. 420, p. 35, Sep. 14, 1992.

Search Report for PCT/US00/33010, Jun. 21, 2002.

Softchec Licenses 'Envision' Image Solution to West Suburban Bank, PR Newswire, at 116SETUU002, Jan. 16, 1996.

"Special Report: Fire Tunning of the Terminal Picture," Computerworld, Aug. 1983.

Spencer, H., "Scanning goes vertical: a big future for specialized check scanning; check scanning technology," Advanced Imaging, No. 10, vol. 12, p. 54, Oct. 1997.

Stellwag, C., "New ATM from AT&T GIS features automated document processing," AT&T News Release, Nov. 29, 1994.

Stellwag, C. and Bochonko, K., "NCR and Cincinnati Bell offer image processing service," AT&T News Release, Jan. 11, 1994.

Stellwag, C. and Bochonko, K., "Norwest Bank selects NCR item processing systems for lockbox," AT&T News Release, Aug. 2, 1993.

Stellwag, C., Graves, T., and Brochonko, K., "New Mexico uses NCR imaging systems for tax, revenue processing, " AT&T News Release, Jul. 12, 1993.

Stellwag, C., Proto, J., and Bochonko, K., "CashFlex selects NCR item processing system for lockbox," AT&T News Release, Jul. 12, 1993.

Stellwag, C., Roedel, R, and Bochonko, K., NCR and Arkansas Systems announce strategic alliance, AT&T News Release, Jul. 12, 1993.

Stellwag, C., Sanders, G., and Bochonko, K., "NCR and Signet Banking to provide item processing services," AT&T News Release, Jul. 13, 1993.

"SurePOS ACE Electronic Payment Support PRPQ for 4690 OS," Version 1, Release 5, IBM, 1998, 2002.

"The Check Information Age: Vision Executive Summary Image Archive Forum, Payment System Task Force," Jan. 27, 1998.

"The Wachovia Story," Research, Development Manufacturing Corporation, 1993.

Tracey, Brian, "IBM Unveils First Stage of Image–Check System," Computers in Banking, vol. 7, No. 4, at 12(3), Apr. 1990.

Tucker, T., "Broadway rolls out check imaging system for community banks," American Banker, vol. 160, No. 61, p. 14(1), Mar. 30, 1995.

"Understanding EDI," 1996.

"Unisys Enhances Check Imager (Unisys Corp makes effort to appeal to wider range of financial institutions)," American Banker, vol. CLIX, No. 205, p. 15A, Oct. 24, 1994.

"Unisys Wins Contract to Supply Imaging Solution to Chase Manhattan/FISER V Check Processing Alliance," Business Wire, at 6121175, Jun. 12, 1995.

"Unix–Based Image Statement Software," ABA Banking Journal, vol. 85, No. 2, at 80(1), Feb. 1993.

"Verifone Software Links PCs to the Point of Sale," American Banker, vol. 158, No. 156, at 13A(1), Aug. 16, 1993.

Vermeire, "Prosecution of Check Image Patent," letter to Hanna, Jul. 11, 1997.

Wagner, M., "Banc One checks out Web," Computerworld, vol. 30, No. 35, p. 69, Aug. 26, 1996.

Western Bank purchases NCR's Document Managing system, AT&T News Release, Aug. 31, 1993.

"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.

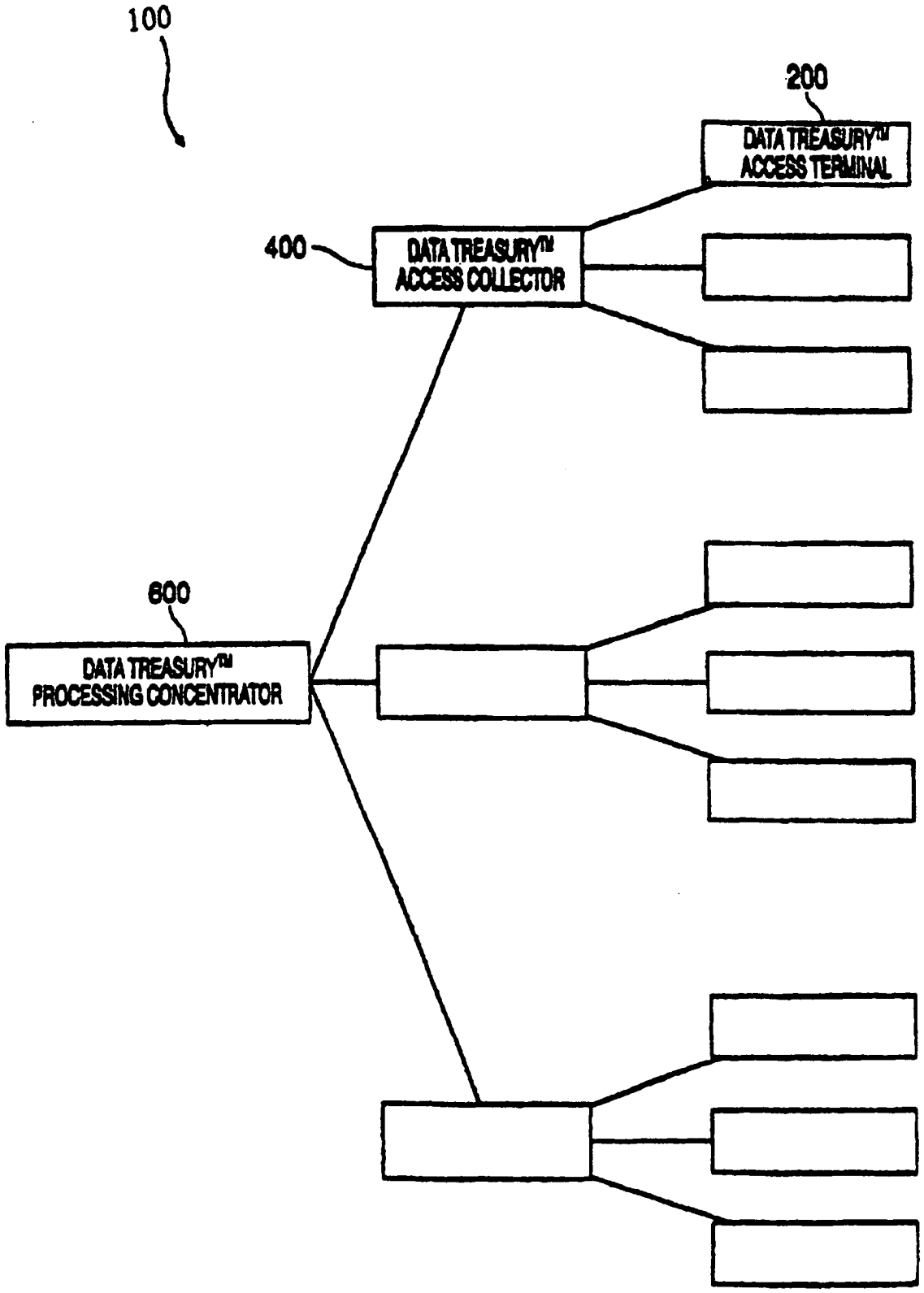


FIG. 1 (Amended)

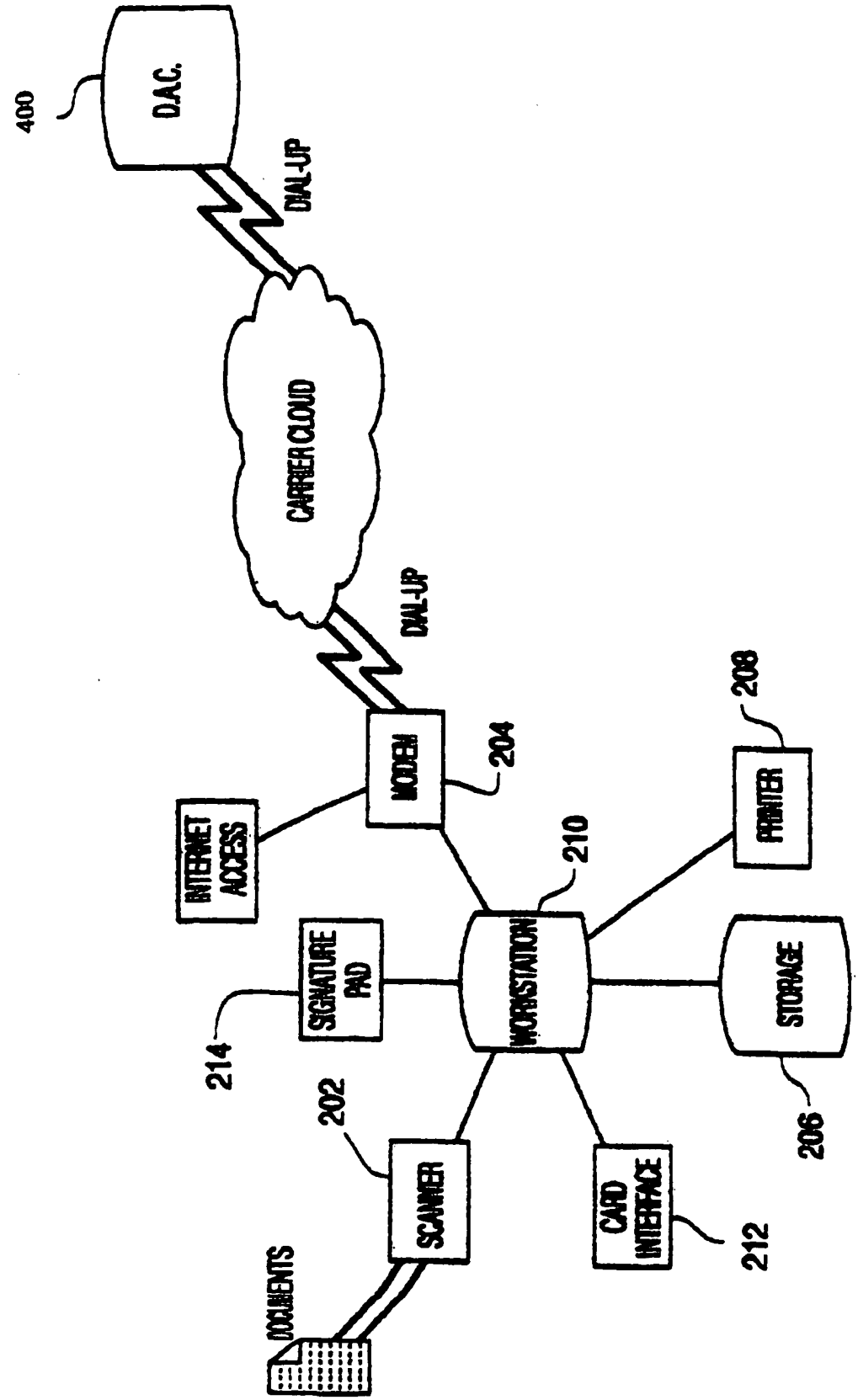


FIG. 2 (Amended)

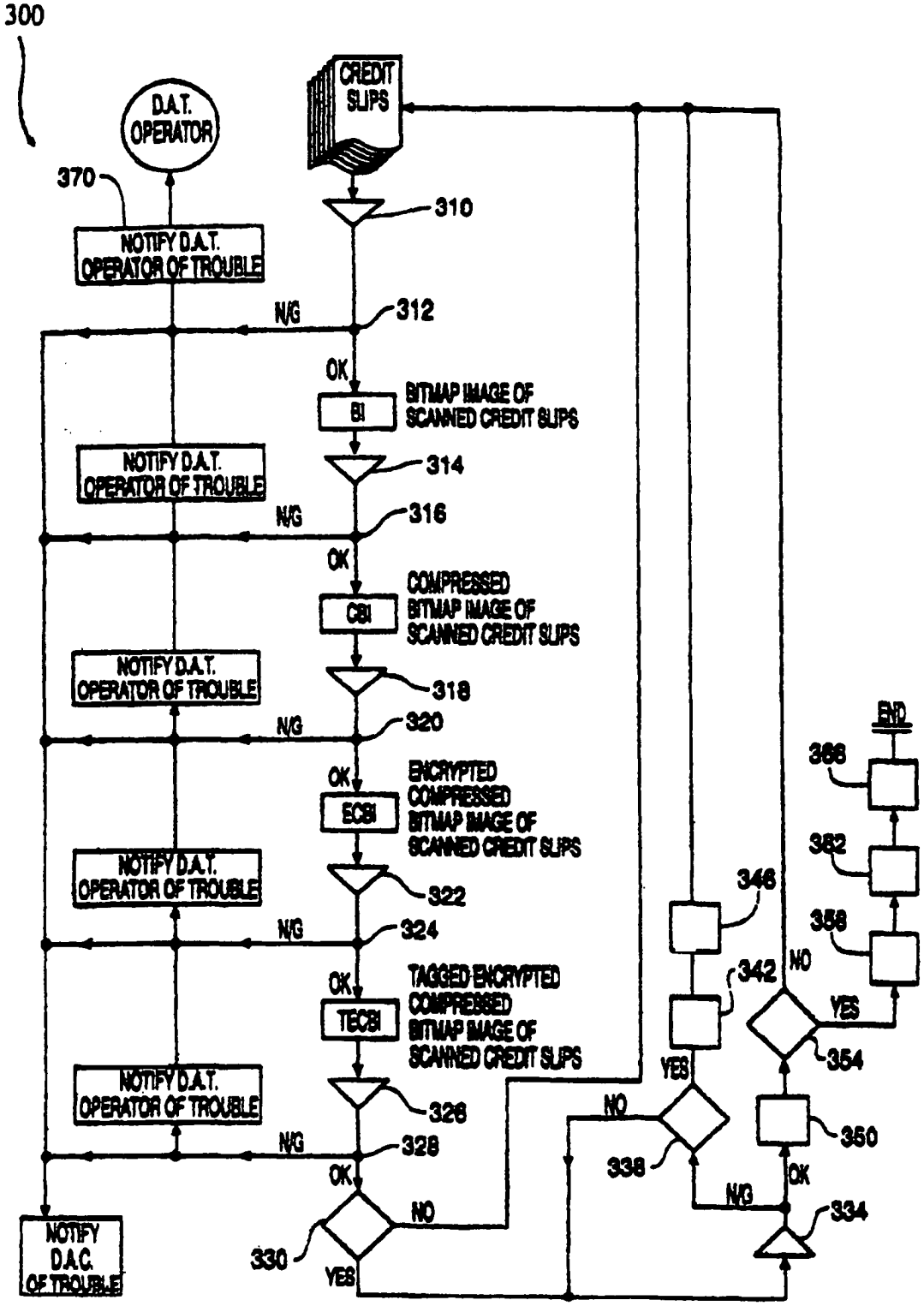


FIG. 3A (Amended)

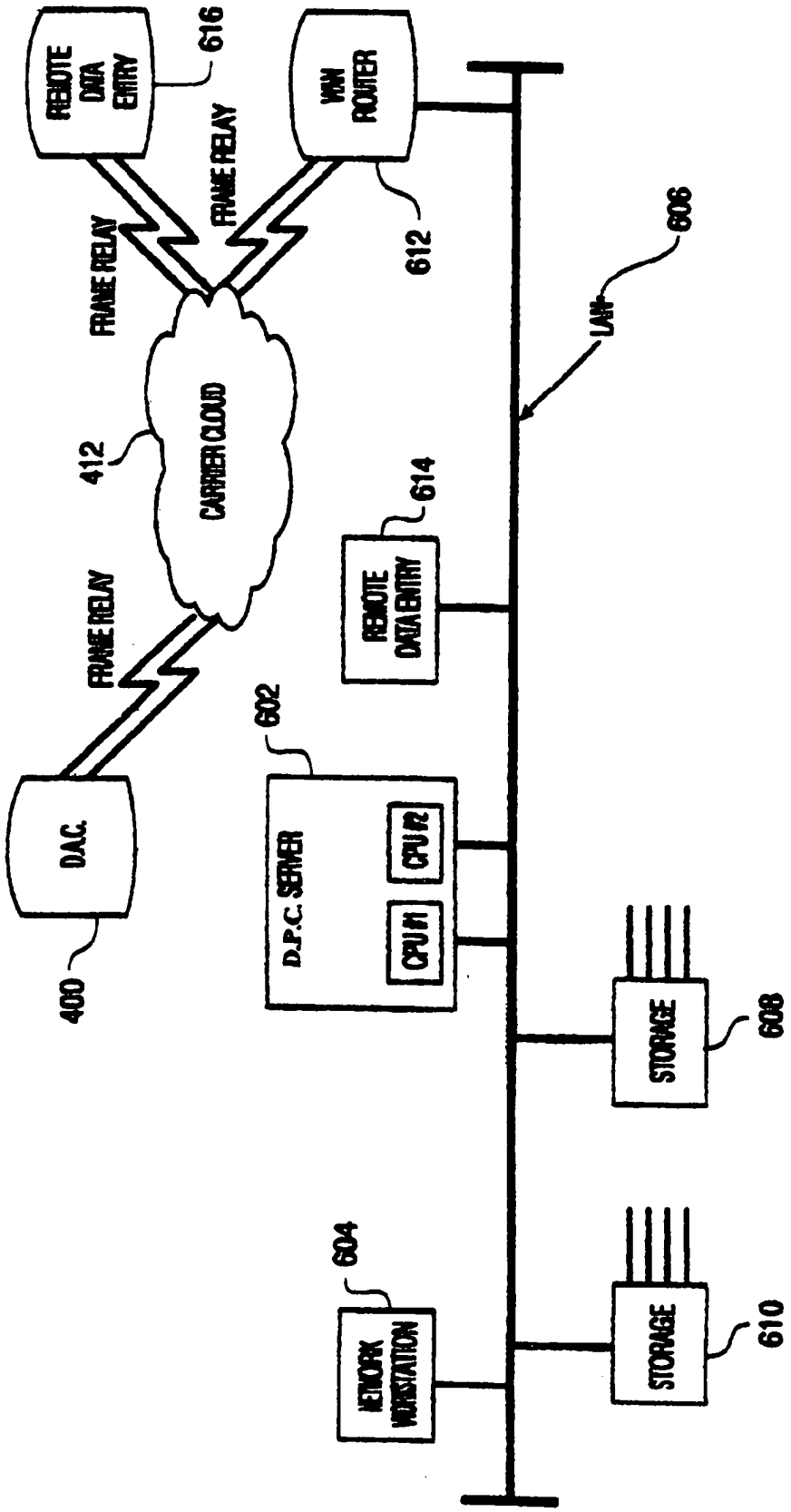


FIG. 6 (Amended)

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 23–26:

Since [DataGlyph] *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 19, lines 59–63:

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.

Column 19, line 64 to column 20, line 2:

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 3–7:

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 8–15:

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 16–23:

If the transmission of the TECBI packet header was successful in step **712**, the DAC **[300]** *400* will transmit a TECBI packet 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 31–41:

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 42–47:

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.

Column 22, lines 8–17:

In step **1006**, the DataTreasury™ system captures the check and the payer's biometric data at the payee's remote location. In an alternate embodiment, the DataTreasury™ system sends electronic transaction data representing the check from the payer's remote location to the **[payer's]** *payee's* remote location. In step **1008**, the DataTreasury™ system performs verification of the check and biometric data by comparing the remotely captured data with the data stored at a central location. The validation further includes checking the courtesy amount and the payer's signature.

THE DRAWING FIGURES HAVE BEEN CHANGED AS FOLLOWS:

FIG. **1**, reference number **100** added; FIG. **2**, reference number **300** changed to **400**; FIG. **3**A, reference number **300** added; FIG. **6** "D.A.C." changed to "D.P.C." in box **602**.

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

The patentability of claims **1–43** is confirmed.

New claims **44–67** are added and determined to be patentable.

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

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

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

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

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

49. 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.

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

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

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

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

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

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

56. A system as in claim 42 wherein said one or more remote data access subsystems also capture electronic transactions from at least one of credit cards and debit cards.

57. A system as in claim 42 further comprising at least one card interface for capturing electronic transaction data.

58. A system as in claim 42 further comprising at least one signature interface for capturing an electronic signature.

59. A system as in claim 42 further comprising at least one biometric interface for capturing biometric data.

60. A system as in claim 42 wherein the system automatically generates at least one of credit card statements, bank statements, and tax reports.

61. A system as in claim 42 wherein said at least one central data processing subsystem polls said one or more remote data access subsystems for transaction data.

62. A system as in claim 42 wherein said transaction data comprises more than one type of transaction data.

63. A method as in claim 43 further comprising capturing electronic transaction data.

64. A method as in claim 43 further comprising capturing an electronic signature.

65. A method as in claim 43 further comprising capturing biometric data.

66. A method as in claim 43 further comprising automatically generating at least one of credit card statements, bank statements, and tax reports.

67. A method as in claim 43 wherein said transaction data comprises more than one type of transaction data.

* * * * *

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EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED: 11/30/2006

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EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO 90/007830

PATENT NO. 6,032,137

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)).

Office Action in Ex Parte Reexamination	Control No. 90/007,830	Patent Under Reexamination 6032137	
	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 2 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.
2. ☐ Information Disclosure Statement, PTO/SB/08.
3. ☐ Interview Summary, PTO-474.
4. ☐ _____.

Part II SUMMARY OF ACTION

1a. ☒ Claims *1-43* 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 *1-43* 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: _____

cc: Requester (if third party requester)

DETAILED ACTION

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. 6,032,137 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 42 and 43 are rejected under 35 U.S.C. 102(b) as being anticipated 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 42	Campbell, et al.
A system for central management, storage and report generation of remotely captured paper transactions from checks comprising:	"Checks used to effectuate commercial and private transactions may be cleared through the banking system by transporting images of those checks between sending institutions and receiving institutions 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 check clearing service 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 = sending institution 14. "The sending institution 14 is a subscriber to the telecommunications services provided by the node 12." ... "For example, the sending institution 14 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 check imaging equipment 18 which produces electrical or optical signals representing the image of a check." (Campbell, et al., Col. 2, ll. 64-66.)
sending	"The images produced by the equipment 18 are directed to a network interface 20 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.)
paper transaction data and	"The controller 42 may read some data accompanying check images, for example, it may identify that TCP/IP protocol information accompanying those images. That information may instruct the node 12 about the identity of the sending institution and the intended receiving institution." (Campbell, et al., Col. 5, ll. 23-28.)
verifying transaction data from the checks comprising	Images are transmitted from the sending bank 14 along with destination identifying data so that the image is routed to the appropriate receiving bank 16. See Campbell, et al. Col. 3, ll. 61-63. The destination identifying data is "transaction data" in that it identifies one of the banks involved in the underlying transaction represented by the check. See Campbell, et al., Col. 4, ll. 13-21. The destination identifying data may be obtained from the endorsements on the check. See Campbell, et al., Col. 4, ll. 5-9. The destination identifying data may be obtained by an operator who views the image of the check and manually enters the destination data, verifying the accuracy of the endorsement from the image. See Campbell, et al., Col. 3, ll. 65-67.
at least one imaging subsystem for capturing the checks and at least one data access controller for managing the capturing and sending of the transaction data;	"The sending institution 14 possesses check imaging equipment 18 which produces electrical or optical signals representing the image of a check .... The imaging equipment may be large multiworkstation systems available from companies such as IBM, UNISYS, or NCR." (Campbell, et al., Col. 2, l. 64 to Col. 3, l. 12.)

at least one central data processing subsystem for	"The network 10 contains at least one check image processing node 12 which provides check clearance services. The node 12 receives images of checks from a sending institution 14 transmitted through the network 10. The node 12 processes the check images and sends them to a receiving institution 16." Campbell, et al., Col. 2, ll. 26-32.
processing, sending, verifying and storing the paper 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	"[T]he processing node 12 receives check images and performs certain processing procedures on those images, including at least temporary storage of the received check images." (Campbell, et al., Col. 3, ll. 55-58.) "The node 12 contains a frame relay assembler/disassembler 40 which receives frames of digital information representing check images sent by service subscribers to the network 38. The assembler/disassembler 40 also transmits 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.) Verify: "The controller 42 may receive instructions from the work center 54 through the interface 52 to control changes made to the information in the database 46. These changes may include the addition or changes to personal identification numbers or bank related data." (Campbell, et al., Col. 5, ll. 31-39.)
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 between said one or more data access subsystems and said at least one data processing subsystem,	"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.) "The network access lines 22 may comprise any form of transmission line suitable for carrying the expected volume of