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TAREK N. FAHMI, APC
84 W. Santa Clara St.
Suite 550
San Jose, CA 95113

EXAMINER	
AHMED, SALMAN	

ART UNIT	PAPER NUMBER
3992	

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

The time period for reply, if any, is set in the attached communication.

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VOLPE AND KOENIG, P.C.

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EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. *90/009,999*.

PATENT NO. *7593033*.

ART UNIT *3992*.

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 reply 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. 90/009,999	Patent Under Reexamination 7593033
	Examiner SALMAN AHMED	Art Unit 3992

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

a☒ Responsive to the communication(s) filed on *26 November 2012* . 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 *1-18* 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 *1-18* 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

1. This office action is in response to the Patent Owner response filed 11/26/2012 which is directed to the *Ex Parte* reexamination of original claims 1-18 of U.S. Patent 7,593,033 (hereinafter '033 patent).

Status of the Claims

2. Original claims 1-18 are rejected.

Information Disclosure Statement

3. With respect to the Information Disclosure Statements filed, the information cited has been considered as described in the MPEP. Note that MPEP 2256 and 2656 indicate that degree of consideration to be given to such information will be normally limited by the degree to which the party filing the information citation has explained the content and relevance of the information. Information that does not appear to be "patents or printed publications" as identified in 35 U.S.C. 301 have been considered to the same extent (unless otherwise noted), but have been lined through and will not be printed on any resulting reexamination certificate

Response to Arguments

Patent Owner's argument regarding Katz prior art (pages 6-9):

Patent Owner:

Patent Owner argues that all of the claims of the '033 Patent recite providing data descriptive of a remote location to a remote device operated by a remote user. Katz, on the other hand, describes a system in which it is the user input that provides the indication of a remote location; either because that input is provided by someone at the remote location, or because no separate provision is made for a determination other than that made by a remote viewer. In the fully automated case, the image of Katz is analyzed to determine if an emergency situation exists before it is ever provided to a viewer. Thereafter, the viewer may change the status, but even in such cases it is the viewer making this determination, and the system does not make a determination of a status subsequent thereto and based on the viewer's response to the image.

Examiner's Response:

Examiner respectfully disagrees with Patent Owner's assertion that it is the user input that provides the indication of a remote location; because that input is provided by someone at the remote location. Contrarily to Patent Owner's assertion, in Katz, not all information is triggered by someone in the remote location; some image information is invoked by automatic sensors (column 5):

> In addition to manual switches, automatic sensors are represented in FIG. 2. Specifically, a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the

Not all invoked image information relates to "emergency" as asserted by the Patent Owner. Some could be related to "routine" as well (column 6):

Upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red).

Various responses to the indication of the image may be decided by the User monitoring the Video Terminals (column 10):

To consider some examples, if the observer of the screen **60** perceives that the situation has become dangerous, touching the keypad buttons for "3" and "0" followed by the buttons designated "3" and "3" will change the represented status to situation "red" (R), i.e., "emergency". Note that as indicated in the display

Contrarily to Patent Owner's assertion, the system does indeed make a determination of a status subsequent thereto and based on the viewer's response to the image (column 13):

sented in FIG. **4**. Upon such an occurrence, the manual control panel **80** (FIGS. **5** and **6**) adjacent the monitor **114** may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory **48** (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator **111**. The audio output from the voice generator **111** is processed by a videophone processor **112** for transmission to the remote location L1, and may pass through the processor **112** or, as illustrated, by processed at the telephone interface switch **102**.

Therefore, Examiner respectfully disagrees with Patent Owner's assertion that Katz does not teach determining by the server, a status of the remote location based on the response of a user to data descriptive of a remote location that was provided to the user.

Patent Owner's argument regarding Katz prior art in view of Knowledge Generally Available (pages 9-10):

Patent Owner:

Patent Owner argues in pages 9-10 that Katz simply makes no reference or suggestion to a determination of a light level at a remote location or providing an indication of the light level to a remote user. Katz further fails to teach or suggest determining a response of the remote user to the indication of the light level, controlling lighting based on an amount of daylight available, or saving energy and cost. At best, Katz includes a visible light sensor in a list of sensors that may be employed to monitor a bank location. See e.g., Katz, col. 4, lines 43-54. However, Katz makes no mention, explicit or otherwise, of determining a response of a remote user to an indication of a light level.

Examiner's Response:

Examiner respectfully disagrees with Patent Owner's assertion. Contrarily to Patent Owner's assertion, a *visible light sensor*, to one of ordinary skilled in the art, would detect ambient light level. (As support and examples of THE KNOWLEDGE

GENERALLY AVAILABLE TO ONE OF ORDINARY SKILL IN THE ART AT THE TIME OF THE INVENTION, Patent Owner can look into teachings of various US Patents such as A) 4,978,991, B) 7,477,309, C) 7,468,722, D) 7,728,275 etc.). Furthermore, the rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). See also *In re Kotzab,* 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) (setting forth test for implicit teachings); *In re Eli Lilly & Co.*, 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990) (discussion of reliance on legal precedent); *In re Nilssen*, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502 (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); *Ex parte Clapp*, 227 USPQ 972 (Bd. Pat. App. & Inter. 1985) (examiner must present convincing line of reasoning supporting rejection); and *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning). Examiner submits that the Examiner has fulfilled his obligation by providing the rationale that obviousness may be reasoned from knowledge generally available to one of ordinary skill in the art by stating “It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's visible light sensor the explicit steps of determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light

level; thus, control lighting based on the amount of daylight available in their coverage area and saving valuable energy and cost" (emphasis added).

Patent Owner's argument regarding Katz prior art in view of Seeley (pages 10-13):

Patent Owner:

Patent Owner argues that in the Katz system, a determination of the status of the remote location is made after user input is received. In Seeley, however, the remote viewer is removed from the decision-making process and it is the on-site SCU that determines whether an intrusion has occurred. The viewer is not even provided any, video images until such a determination is made. Precisely how or why these completely disparate teachings are to be combined is nowhere adequately explained by the Examiner. Seeley's goal is to eliminate the operator from making decisions because operators cannot be relied upon to make such decisions (due to fatigue after only a few minutes of monitoring a location). Id. at col. 3, ll. 41-46. Yet Katz expressly reserves to the operator some input in deciding whether an alarm condition exists. An attempt to combine these teachings will, necessarily, require abandoning the explicit teachings and goals of one of these references and changing the principles of operation of the described system. Such circumstances are, if anything, evidence of nonobviousness, not the reverse. See *In re Ratti,* 270 F.2d 810, 123 USPQ 349 (CCPA 1959) (holding that if a proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the

references are not sufficient to render the claims *prima facie* obvious). This alone would be sufficient grounds to find the claims of the '033 Patent patentable over Katz and Seeley.

Examiner's Response:

However, Examiner respectfully disagrees with the Patent Owner's assertion that in Seeley, the remote viewer is removed from the decision-making process and it is the on-site SCU that determines whether an intrusion has occurred and that the viewer is not even provided any, video images until such a determination is made. Contrarily to Patent Owner's assertion, Seeley's remote viewer is the one that, in one embodiment, makes the final decision on what needs to be done (column 4, lines 10-25):

> In accordance with the invention, generally stated, a video security system monitors a plurality of separate premises from a central station. Each site has an image processor acquiring and processing visual images of locations about the premises. Motion by an intruder, detected by the image processor, produces an alarm input to an alarm unit which facilitates the transmission of authenticated snapshots of the scene, compressed video, and audio to the central station. A video processor at the central station receives and stores these inputs and in conjunction with a central alarm computer makes the transmitted signals available to a system operator at one of a plurality of workstations located at the central station. The operator, after viewing the transmissions, can, if the intrusion is verified, alert appropriate authorities to investigate the premises. Other objects and features will be in part apparent and in part pointed out hereinafter.

Utilizing the teachings of Seeley would greatly enhance Katz's system. As Seeley explained in columns 5-6 below that the Remote Viewer would not need to continuously monitor video, thus reducing false alarms while increasing monitoring efficiency:

If motion is detected, and the SCU confirms that the cause of the motion is from a source which is one of a predetermined class of causes, then the SCU sends an indication to AU 16, which generates an alarm and establishes, in conjunction with TA 20, a video communications channel between the SCU and the central station. The operator now does not have to continuously monitor unchanging video with which there is a low probability of an intruder presence.

Rather, because the AU does not generate an alarm unless it is informed of a confirmed intrusion, the operator need only view video provided to him or her at that time. This allows the operator to readily monitor many premises from the central station, even though these premises are widely separated from one another, secure in the knowledge that an intrusion will not be missed. After viewing video images (snapshots) obtained from the viewing the scene where the intrusion is detected, if the operator confirms an intruder's presence, the operator relays this information to investigating authorities. Further, the operator can provide the authorities with an accurate assessment of the situation at the facility so they can take the necessary precautions based upon the number of intruders, their ages, whether or not they are armed, etc.

Katz's system can greatly benefit from such enhancement as taught by Seeley for the same reasons mentioned above. Therefore, Examiner respectfully disagrees with Patent Owner's assertion that an attempt to combine these teachings will, necessarily, require abandoning the explicit teachings and goals of one of these references and changing the principles of operation of the described system. A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Furthermore, "the prior art's mere disclosure of more than one alternative does not constitute a teaching away from any of these alternatives because such disclosure does not criticize, discredit, or otherwise discourage the solution claimed." *In re Fulton*, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004). Furthermore, "[T]he test

for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference.... Rather, the test is what the combined teachings of those references would have suggested to those of ordinary skill in the art." *In re Keller*, 642 F.2d 413, 425, 208 USPQ 871, 881 (CCPA 1981). See also *In re Sneed*, 710 F.2d 1544, 1550, 218 USPQ 385, 389 (Fed. Cir. 1983) ("[I]t is not necessary that the inventions of the references be physically combinable to render obvious the invention under review."); and *In re Nievelt*, 482 F.2d 965, 179 USPQ 224, 226 (CCPA 1973) ("Combining the teachings of references does not involve an ability to combine their specific structures.")

Finally, according to KSR, known work (i.e. *the steps of providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement*) in one field of endeavor (i.e. *Seeley prior art*) may prompt variations of it for use in either the same field or a different one (i.e. Katz prior art) based on design incentives or other market forces/market place incentives (i.e. *Remote Viewer would not need to continuously monitor video, thus reducing false alarms while increasing monitoring efficiency*) if the variations are predictable (i.e. *increasing monitoring efficiency and reducing false alarms are predictable enhancement steps*) to one of ordinary skill in the art.

Patent Owner:

Patent Owner argues that for the Katz-dominated scenario, we have already seen that such a system does not teach or suggest a system in which a separate

determination of status is made after receiving the operator input. Likewise, in the second case, for the Seeley-dominated scenario, a system in which the status of the monitored premises is made before any video information is provided to the operator cannot teach or suggest one in which images of the remote location are provided to the viewer before any determination is made regarding the status of a location (as recited in the claims). Indeed, this is the antithesis of Seeley and is exactly the situation that Seeley is trying to avoid. Consequently, neither scenario under which the combined teachings of Katz and Seeley are considered leads to the methods and systems recited in the claims of the '033 Patent and so the claims must be deemed patentable over this combination of references.

Examiner's Response:

Examiner respectfully disagrees with Patent Owners assertion. As Examiner has explained above that "[T]he test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference.... Rather, the test is what the combined teachings of those references would have suggested to those of ordinary skill in the art." *In re Keller*, 642 F.2d 413, 425, 208 USPQ 871, 881 (CCPA 1981). See also *In re Sneed*, 710 F.2d 1544, 1550, 218 USPQ 385, 389 (Fed. Cir. 1983) ("[I]t is not necessary that the inventions of the references be physically combinable to render obvious the invention under review."); and *In re Nievelt*, 482 F.2d 965, 179 USPQ 224, 226 (CCPA 1973) ("Combining the teachings of references does not involve an ability to combine their specific structures.").

Furthermore, Examiner, firstly, disagrees with Patent Owner's assertion that in Katz-dominated scenario, we have already seen that such a system does not teach or suggest a system in which a separate determination of status is made after receiving the operator input. Contrarily to Patent Owner's assertion, Katz's system does indeed make a determination of a status subsequent thereto and based on the viewer's response to the image (column 13):

sented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102.

Examiner, secondly, disagrees with Patent Owner's assertion that in the Seeley-dominated scenario, a system in which the status of the monitored premises is made before any video information is provided to the operator. Contrarily to Patent Owner's assertion, Seeley's remote viewer is the one that, in one embodiment, makes the final decision on what needs to be done (column 4, lines 10-25):

In accordance with the invention, generally stated, a video security system monitors a plurality of separate premises from a central station. Each site has an image processor acquiring and processing visual images of locations about the premises. Motion by an intruder, detected by the image processor, produces an alarm input to an alarm unit which facilitates the transmission of authenticated snapshots of the scene, compressed video, and audio to the central station. A video processor at the central station receives and stores these inputs and in conjunction with a central alarm computer makes the transmitted signals available to a system operator at one of a plurality of workstations located at the central station. The operator, after viewing the transmissions, can, if the intrusion is verified, alert appropriate authorities to investigate the premises. Other objects and features will be in part apparent and in part pointed out hereinafter.

Therefore, as mentioned earlier, utilizing the teachings of Seeley would greatly enhance Katz's system by reducing the Remote Viewer's need to continuously monitor video; thus reducing false alarms while increasing monitoring efficiency

Patent Owner's argument regarding Katz prior art in view of Chen (pages 13-16):

Patent Owner:

Patent Owner argues that Chen teaches receiving body temperature and blood pressure data for a remotely located human patient. In contrast, claims 4, 5, 10, 11, 16, and 17 recite determining a pressure or temperature at a remote location. Such a recital cannot reasonably be construed, in light of the specification, as including the blood pressure or body temperature of a remotely monitored human patient as taught in Chen. Furthermore, even if the pressure or temperature sensors of the present claims could reasonably be interpreted to include blood pressure and body temperature sensors, the blood pressure and body temperature information generated by such sensors would be used to determine the status of a human patient, which cannot be reasonably construed

in light of the '033 Patent's specification as a determination of the status of a remote location as presently claimed. Chen is not analogous to claimed invention at least because the disclosure of Chen does not address any need or problem known in the field of remote monitoring of locations at the time of the invention and the '033 Patent fails to provide a reason for combining the elements of Chen with those of Katz in to arrive at the claimed invention. Furthermore, the system and method of Chen is not reasonably pertinent to the problem of monitoring a remote location as presently claimed at least because Chen employs a blood pressure and a body temperature monitors to monitor the health of a human patient and such a field of endeavor is not reasonably pertinent to the field of remotely monitoring locations. Moreover, considering the blood pressure or body temperature of a remotely located patient was not a problem reflected either explicitly or implicitly in the specification of the '033 Patent.

Examiner's Response:

Examiner respectfully disagrees with Patent Owner's assertion. Examiner submits that both Katz and Chen are indeed analogous art; both are related to "Remote Monitoring System". The current claim language is broad. In view of the broadest reasonable interpretation of the claim language Katz and Chen in combination does indeed teach the cited limitations. The specification '033 states "pressure sensors", "pressure", "thermal sensors" and "temperature" without further qualifying the terms. The '033 patent does not further qualify "pressure" or "temperature" with the description of pressure of what or temperature of what.

Under a broadest reasonable interpretation, words of the claim must be given their plain meaning, unless such meaning is inconsistent with the specification. The plain meaning of a term means the ordinary and customary meaning given to the term by those of ordinary skill in the art at the time of the invention. The ordinary and customary meaning of a term may be evidenced by a variety of sources, including the words of the claims themselves, the specification, drawings, and prior art. However, the best source for determining the meaning of a claim term is the specification - the greatest clarity is obtained when the specification serves as a glossary for the claim terms. The presumption that a term is given its ordinary and customary meaning may be rebutted by the applicant by clearly setting forth a different definition of the term in the specification. *In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997) (the USPTO looks to the ordinary use of the claim terms taking into account definitions or other "enlightenment" contained in the written description); *But c.f. In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1369 (Fed. Cir. 2004) ("We have cautioned against reading limitations into a claim from the preferred embodiment described in the specification, even if it is the only embodiment described, absent clear disclaimer in the specification."). When the specification sets a clear path to the claim language, the scope of the claims is more easily determined and the public notice function of the claims is best served. Examiner submits that '033 specification merely states "pressure sensors", "pressure", "thermal sensors" and "temperature" without further qualifying the terms.

Although claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allow. *In re American Academy of Science Tech Center*, 367 F.3d 1359, 1369, 70 USPQ2d 1827, 1834 (Fed. Cir. 2004) This means that the words of the claim must be given their plain meaning unless the plain meaning is inconsistent with the specification. *In re Zletz*, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) (discussed below); *Chef America, Inc. v. Lamb-Weston, Inc.*, 358 F.3d 1371, 1372, 69 USPQ2d 1857 (Fed. Cir. 2004) (Ordinary, simple English words whose meaning is clear and unquestionable, absent any indication that their use in a particular context changes their meaning, are construed to mean exactly what they say. As mentioned earlier, '033 specification merely states "pressure sensors", "pressure", "thermal sensors" and "temperature" without further qualifying the terms.

"Though understanding the claim language may be aided by explanations contained in the written description, it is important not to import into a claim limitations that are not part of the claim. For example, a particular embodiment appearing in the written description may not be read into a claim when the claim language is broader than the embodiment." *Superguide Corp. v. DirecTV Enterprises, Inc.*, 358 F.3d 870, 875, 69 USPQ2d 1865, 1868 (Fed. Cir. 2004). See also *Liebel-Flarsheim Co. v. Medrad Inc.*, 358 F.3d 898, 906, 69 USPQ2d 1801, 1807 (Fed. Cir. 2004)(discussing recent cases wherein the court expressly rejected the contention that if a patent describes only

a single embodiment, the claims of the patent must be construed as being limited to that embodiment);*E-Pass Techs., Inc. v. 3Com Corp.*, 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) ("Interpretation of descriptive statements in a patent's written description is a difficult task, as an inherent tension exists as to whether a statement is a clear lexicographic definition or a description of a preferred embodiment. The problem is to interpret claims 'in view of the specification' without unnecessarily importing limitations from the specification into the claims."); *Altiris Inc. v. Symantec Corp.*, 318 F.3d 1363, 1371, 65 USPQ2d 1865, 1869-70 (Fed. Cir. 2003) (Although the specification discussed only a single embodiment, the court held that it was improper to read a specific order of steps into method claims where, as a matter of logic or grammar, the language of the method claims did not impose a specific order on the performance of the method steps, and the specification did not directly or implicitly require a particular order).

"[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, *i.e.*, as of the effective filing date of the patent application." *Phillips v. AWH Corp.*,415 F.3d 1303, 1313, 75 USPQ2d 1321, 1326 (Fed. Cir. 2005) (*en banc*); *Sunrace Roots Enter. Co. v. SRAM Corp.*, 336 F.3d 1298, 1302, 67 USPQ2d 1438, 1441 (Fed. Cir. 2003); *Brookhill-Wilk 1, LLC v. Intuitive Surgical, Inc.*, 334 F.3d 1294, 1298 67 USPQ2d 1132, 1136 (Fed. Cir. 2003)("In the absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the

art."). It is the use of the words in the context of the written description and customarily by those skilled in the relevant art that accurately reflects both the "ordinary" and the "customary" meaning of the terms in the claims. *Ferguson Beauregard/Logic Controls v. Mega Systems*, 350 F.3d 1327, 1338, 69 USPQ2d 1001, 1009 (Fed. Cir. 2003) (Dictionary definitions were used to determine the ordinary and customary meaning of the words "normal" and "predetermine" to those skilled in the art. In construing claim terms, the general meanings gleaned from reference sources, such as dictionaries, must always be compared against the use of the terms in context, and the intrinsic record must always be consulted to identify which of the different possible dictionary meanings is most consistent with the use of the words by the inventor.); *ACTV, Inc. v. The Walt Disney Company*, 346 F.3d 1082, 1092, 68 USPQ2d 1516, 1524 (Fed. Cir. 2003) (Since there was no express definition given for the term "URL" in the specification, the term should be given its broadest reasonable interpretation consistent with the intrinsic record and take on the ordinary and customary meaning attributed to it by those of ordinary skill in the art; thus, the term "URL" was held to encompass both relative and absolute URLs.); and *E-Pass Technologies, Inc. v. 3Com Corporation*, 343 F.3d 1364, 1368, 67 USPQ2d 1947, 1949 (Fed. Cir. 2003) (Where no explicit definition for the term "electronic multi-function card" was given in the specification, this term should be given its ordinary meaning and broadest reasonable interpretation; the term should not be limited to the industry standard definition of credit card where there is no suggestion that this definition applies to the electronic multi-function card as claimed, and should not be limited to preferred embodiments in the specification.).

Finally, according to KSR, known work (i.e. *determining, based on information received from a pressure sensor located at a remote location, a pressure at the remote location; providing, an indication of the pressure to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the pressure; or determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature*) in one field of endeavor (i.e. *Chen prior art*) may prompt variations of it for use in either the same field or a different one (i.e. Katz prior art) based on design incentives or other market forces/market place incentives (i.e. *Katz's system could be enhanced to incorporate the areas of health care thus adding new business opportunities for the monitoring companies. Furthermore, incorporating such teaching in Katz would provide a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like*) if the variations are predictable (i.e. *increasing monitoring business in other areas of opportunity*) to one of ordinary skill in the art.

Claim Rejections - 35 USC § 102

4. 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 –
>
> (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.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 2, 7, 8, 13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Katz (US PAT 5412708).

In regards to claim 1, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

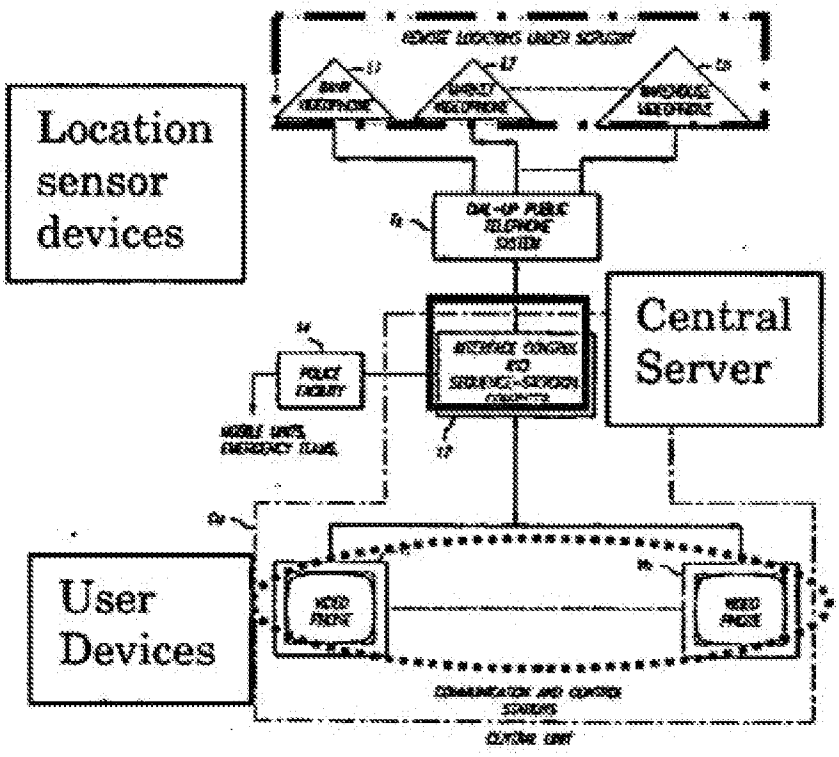

FIG. 1

determining, by the central server and based on information received from a video camera located at a remote location, an image of the remote location; providing, by the central server, an indication of the image to a remote device operated by a remote user (column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or

"routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

determining, by the central server and via the remote user device, a response of the remote user to the indication of the image (column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by

the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102);

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

In regards to claim 2, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

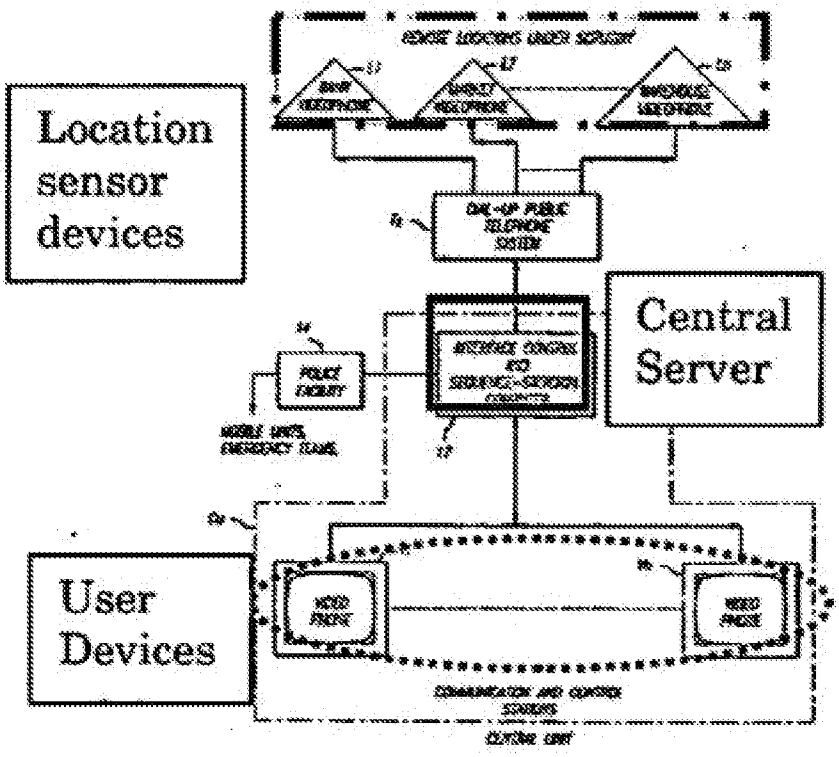

FIG. 1

determining, by the central server and based on information received from a microphone located at a remote location, a sound from the remote location; providing, by the central server, an indication of the sound to a remote device operated by a remote user (column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or

"routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

Katz further teaches the control and processor 170 is additionally connected to a series of sensors and switches as indicated above. Correlating the structure to FIG. 2, the switches S1-S1 [sic] are represented by a single block designated 182. The manager switches S5-S7 are represented by a block 184. The infrared sensor or switch S8 is represented by a block 186 and the doorway detector or switch S9 is represented by a block 188. Additionally, a roving guard switch is represented by a block 190 and an audio sensor or threshold microphone is designated by a block 192. The situation status prompted by the switches can be seen in FIG. 8, i.e., RGY. Katz, col. 16, lines 16-27. Katz further teaches essentially, each location L1-Ln is equipped with videophone capability (described below) to provide telephonic signals through the telephone system TS to accomplish a display at the central unit CU. Katz, col. 3, lines 22-25.

determining, by the central server and via the remote user device, a response of the remote user to the indication of the sound (column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is

processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of an incoming call from the telephone system TS through a cable 195, the telephone interface unit 174 establishes a connection through the processor 170 to the video display 178 and prompts the processor 170 to respond to processor control signals. More specifically, an incoming call prompts the control processor 170 to fetch a set of standard conditions from a look-up table embodied in the memory 172 to thereby establish settings for the videophone cameras

C1-C6 and activate the video display 178 and the audio announcer 180. One of the cameras, typically camera C1, also will be selected. Accordingly, in response to the received call, the processor 170 provides an output from the camera C1 (set with a wide field of vision) through the telephone interface 174 to be carried as a videophone signal embodying both video and audio data. Additionally, the video display 178 and the audio announcer are activated for response to any received audio or video data. Katz, col. 6, lines 35-53.

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

In regards to claim 7, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be executed by a processor to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

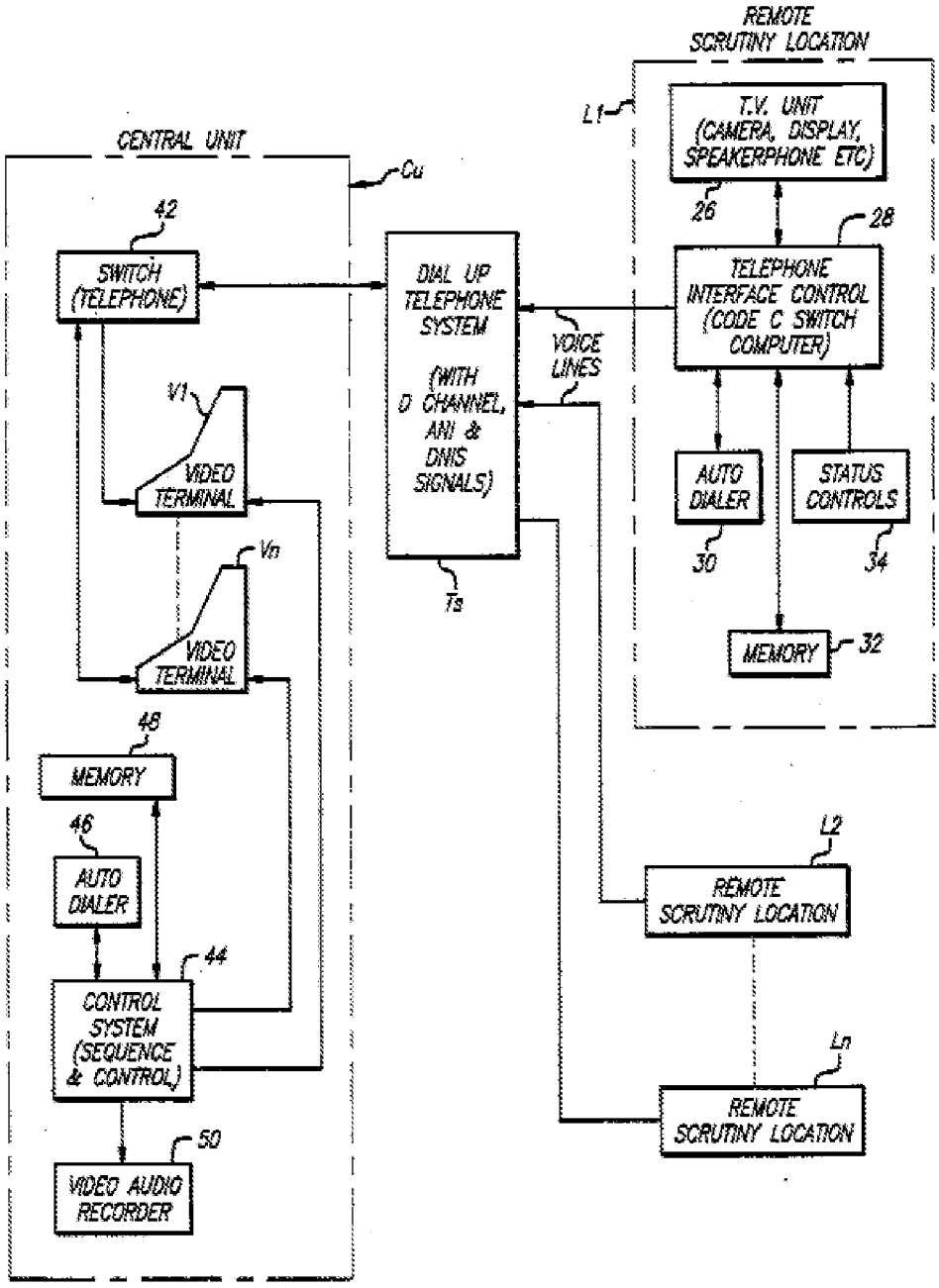

FIG. 3

determine, based on information received from a video camera located at a remote location, an image of the remote location; provide an indication of the image to a remote device associated with a user (column 8, lines 15-38, …the

central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

determine a response of the remote user to the indication of the image

(column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera

and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102);

and determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

In regards to claim 8, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be executed by a processor to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

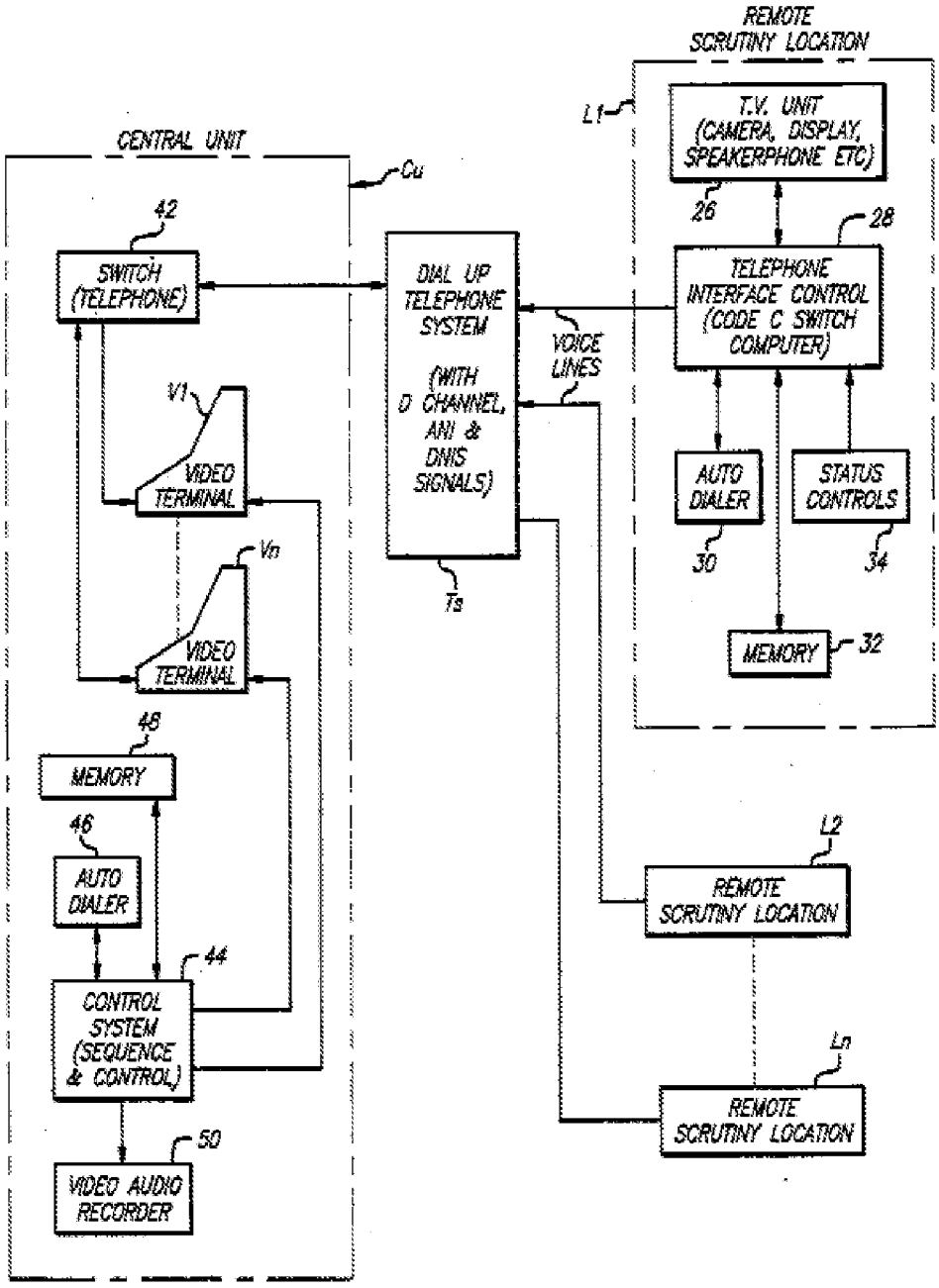

FIG. 3

determine, based on information received from a microphone located at a remote location, a sound from the remote location; provide an indication of the sound to a remote device associated with a user (column 8, lines 15-38, …the

central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

Katz further teaches the control and processor 170 is additionally connected to a series of sensors and switches as indicated above. Correlating the structure to FIG. 2, the switches S1-S1 [sic] are represented by a single block designated 182. The manager switches S5-S7 are represented by a block 184. The infrared sensor or switch S8 is represented by a block 186 and the doorway detector or switch S9 is represented by a block 188. Additionally, a roving guard switch is represented by a block 190 and an audio sensor or threshold microphone is designated by a block 192. The situation status

prompted by the switches can be seen in FIG. 8, i.e., RGY. Katz, col. 16, lines 16-27. Katz further teaches essentially, each location L1-Ln is equipped with videophone capability (described below) to provide telephonic signals through the telephone system TS to accomplish a display at the central unit CU. Katz, col. 3, lines 22-25.)

determine a response of the remote user to the indication of the sound

(column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of an incoming call from the telephone system TS through a cable 195, the telephone interface unit 174 establishes a connection through the processor 170 to the video display 178 and prompts the processor 170 to respond to processor control signals. More specifically, an incoming call prompts the control processor 170 to fetch a set of standard conditions from a look-up table embodied in the memory 172 to thereby establish settings for the videophone cameras C1-C6 and activate the video display 178 and the audio announcer 180. One of the cameras, typically camera C1, also will be selected. Accordingly, in response to the received call, the processor 170 provides an output from the camera C1 (set with a wide field of vision) through the telephone interface 174 to be carried as a videophone signal embodying both video and audio data. Additionally, the video display 178 and the audio announcer are activated for response to any received audio or video data. Katz, col. 6, lines 35-53.

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response

(column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

In regards to claim 13, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

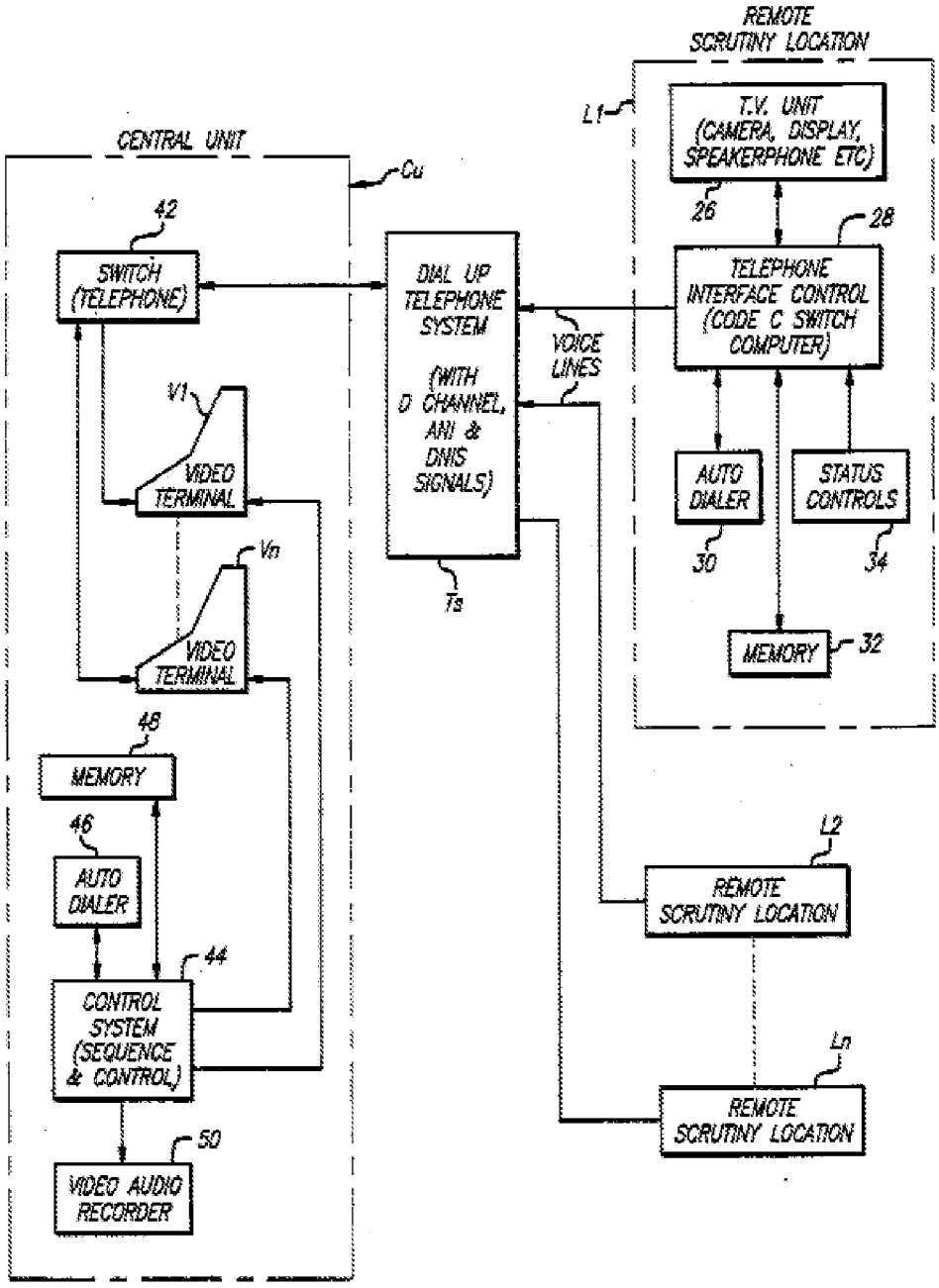

FIG. 3

determine, based on information received from a video camera located at a remote location, an image of the remote location; provide an indication of the image to a remote device associated with a user (column 8, lines 15-38, …the

central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

determine a response of the remote user to the indication of the image

(column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera

and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102);

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response

(column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

In regards to claim 14, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

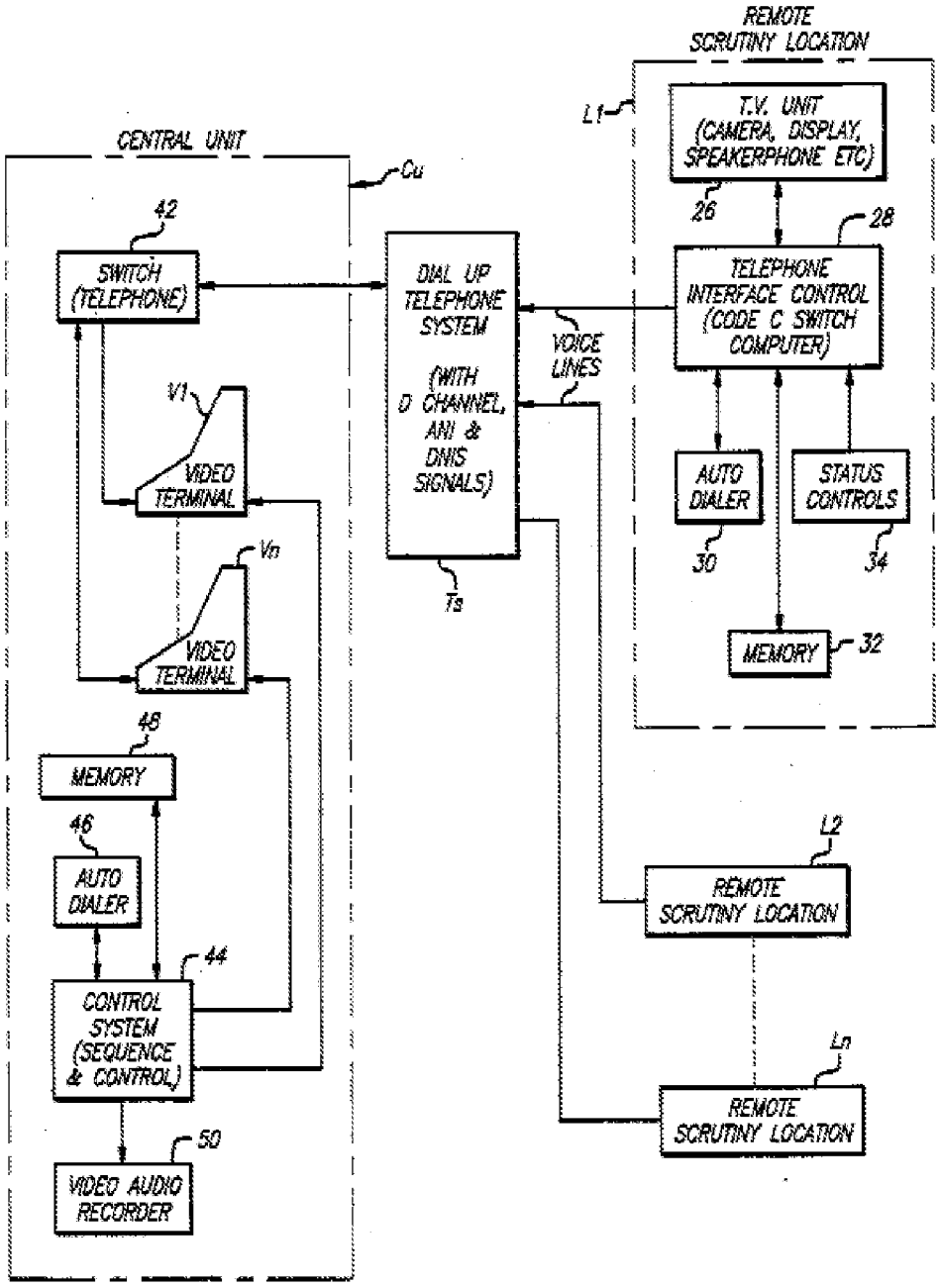

FIG. 3

determine, based on information received from a microphone located at a remote location, a sound from the remote location; provide an indication of the sound to a remote device associated with a user (column 8, lines 15-38, …the

central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

Katz further teaches the control and processor 170 is additionally connected to a series of sensors and switches as indicated above. Correlating the structure to FIG. 2, the switches S1-S1 [sic] are represented by a single block designated 182. The manager switches S5-S7 are represented by a block 184. The infrared sensor or switch S8 is represented by a block 186 and the doorway detector or switch S9 is represented by a block 188. Additionally, a roving guard switch is represented by a block 190 and an audio sensor or threshold microphone is designated by a block 192. The situation status

prompted by the switches can be seen in FIG. 8, i.e., RGY. Katz, col. 16, lines 16-27. Katz further teaches essentially, each location L1-Ln is equipped with videophone capability (described below) to provide telephonic signals through the telephone system TS to accomplish a display at the central unit CU. Katz, col. 3, lines 22-25.)

determine a response of the remote user to the indication of the sound

(column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of an incoming call from the telephone system TS through a cable 195, the telephone interface unit 174 establishes a connection through the processor 170 to the video display 178 and prompts the processor 170 to respond to processor control signals. More specifically, an incoming call prompts the control processor 170 to fetch a set of standard conditions from a look-up table embodied in the memory 172 to thereby establish settings for the videophone cameras C1-C6 and activate the video display 178 and the audio announcer 180. One of the cameras, typically camera C1, also will be selected. Accordingly, in response to the received call, the processor 170 provides an output from the camera C1 (set with a wide field of vision) through the telephone interface 174 to be carried as a videophone signal embodying both video and audio data. Additionally, the video display 178 and the audio announcer are activated for response to any received audio or video data. Katz, col. 6, lines 35-53.

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response

(column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

7. Claims 6, 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (US PAT 5412708).

In regards to claim 6, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

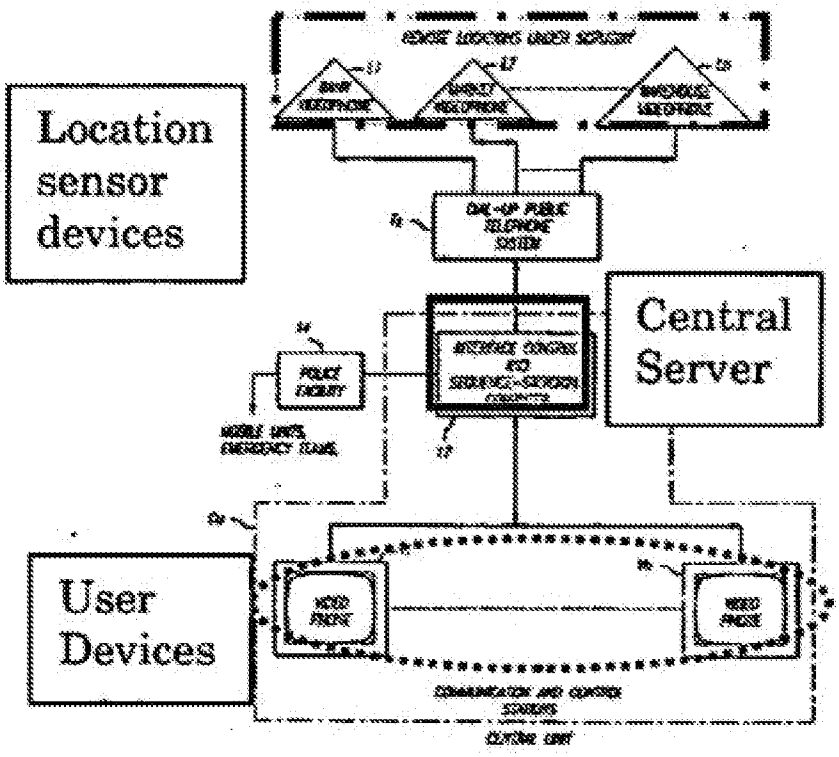

FIG. 1

determining, by the central server and based on information received from a light sensor located at a remote location, a light level at the remote location; providing, by the central server, an indication of the light level to a remote device operated by a remote user (The interface unit 28 is also connected to an auto dialer 30, a memory 32 and a [sic] status controls 34. These structures also are disclosed in somewhat greater detail below; however, the auto dialer 30 may take any well-known form of such units as may the memory 32. The status controls 34 may take a multitude of different forms as considered to some extent with reference to FIG. 2. That is, the status controls 34 may include manual switches, photoelectric sensors, infrared sensors, visible light sensors, metal detectors and even threshold sonic detectors. For

example, a sonic detector might signal a gunshot to command an emergency status. Katz, col. 6, lines 38-50.

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior.

determining, by the central server and via the remote user device, a response of the remote user to the indication of the light level (column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally

represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102);

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a

remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz implicitly teaches but does not explicitly teach ***determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level***.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the explicit steps of determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level, thus, control lighting based on the amount of daylight available in their coverage area and saving valuable energy and cost. Such Obviousness and motivation is based on the knowledge generally available to one of ordinary skill in the art at the time of the invention. See *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988) and *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). 35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references". The rationale to modify or combine the prior art does not have

to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988); *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). See also *In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317* (Fed. Cir. 2000) (setting forth test for implicit teachings); *In re Eli Lilly & Co., 902 F.2d 943, 14 USPQ2d 1741* (Fed. Cir. 1990) (discussion of reliance on legal precedent); *In re Nilssen, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502* (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); *Ex parte Clapp, 227 USPQ 972* (Bd. Pat. App. & Inter. 1985) (examiner must present convincing line of reasoning supporting rejection); and *Ex parte Levengood, 28 USPQ2d 1300* (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

In regards to claim 12, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be executed by a processor to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be

assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

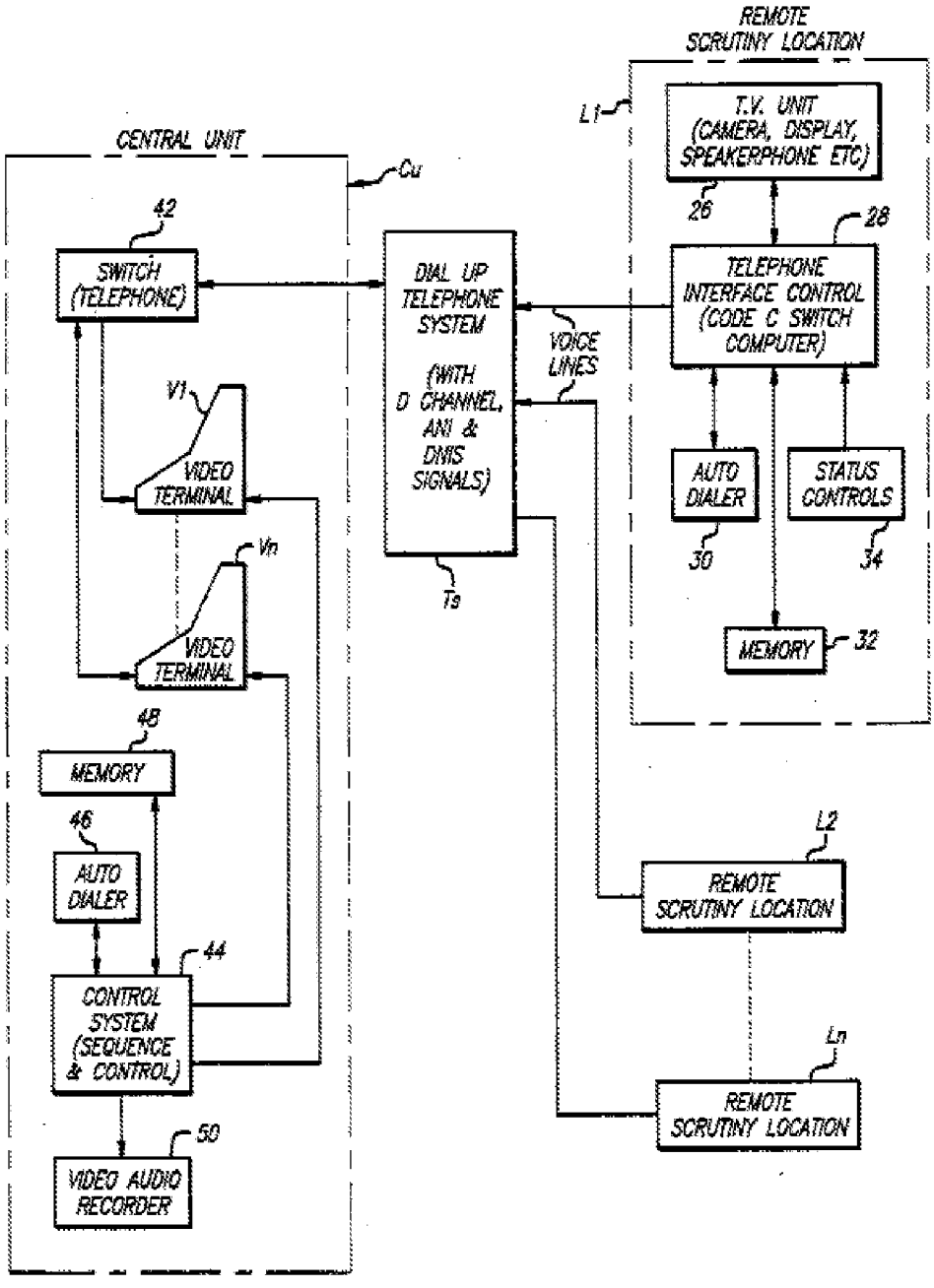

FIG. 3

determine, based on information received from a light sensor located at a remote location, a light level at the remote location; provide an indication of the light level to a remote device associated with a user (The interface unit 28 is also connected to an auto dialer 30, a memory 32 and a [sic] status controls 34. These structures also are disclosed in somewhat greater detail below; however, the auto dialer 30 may take any well-known form of such units as may the memory 32. The status controls 34 may take a multitude of different forms as considered to some extent with reference to FIG. 2. That is, the status controls 34 may include manual switches, photoelectric sensors, infrared sensors, visible light sensors, metal detectors and even threshold sonic detectors. For example, a sonic detector might signal a gunshot to command an emergency status. Katz, col. 6, lines 38-50.

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a

composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior.

determine a response of the remote user to the indication of the light level (column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the process 112 or, as illustrated, by processed at the telephone interface switch 102);

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz implicitly teaches but does not explicitly teach ***determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level***.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the explicit steps of determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level, thus, control lighting based on the amount of daylight available in their coverage area and saving valuable energy and cost. Such Obviousness and motivation is based on the knowledge generally available to one of ordinary skill in the art at the time of the invention. See *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988) and *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). 35 U.S.C. 103 authorizes a rejection where, to

meet the claim, it is necessary to modify a single reference or to combine it with one or more other references". The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988); *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). See also *In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317* (Fed. Cir. 2000) (setting forth test for implicit teachings); *In re Eli Lilly & Co., 902 F.2d 943, 14 USPQ2d 1741* (Fed. Cir. 1990) (discussion of reliance on legal precedent); *In re Nilssen, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502* (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); *Ex parte Clapp, 227 USPQ 972* (Bd. Pat. App. & Inter. 1985) (examiner must present convincing line of reasoning supporting rejection); and *Ex parte Levengood, 28 USPQ2d 1300* (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

In regards to claim 18, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic

lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

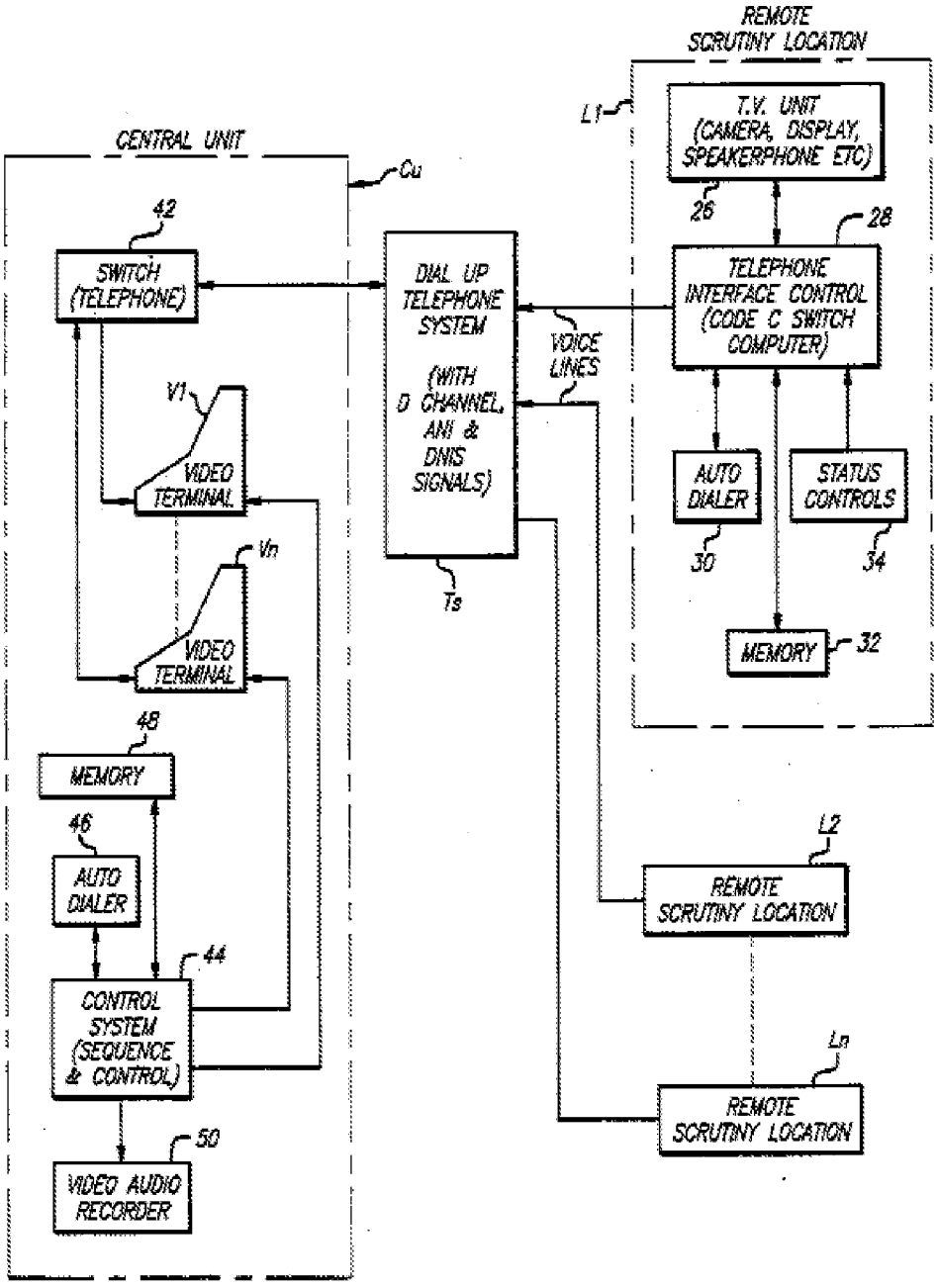

FIG. 3

determine, based on information received from a light sensor located at a remote location, a light level at the remote location; provide an indication of the light level to a remote device associated with a user (The interface unit 28 is also connected to an auto dialer 30, a memory 32 and a [sic] status controls 34. These structures also are disclosed in somewhat greater detail below; however, the auto dialer 30 may take any well-known form of such units as may the memory 32. The status controls 34 may take a multitude of different forms as considered to some extent with reference to FIG. 2. That is, the status controls 34 may include manual switches, photoelectric sensors, infrared sensors, visible light sensors, metal detectors and even threshold sonic detectors. For example, a sonic detector might signal a gunshot to command an emergency status. Katz, col. 6, lines 38-50.

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composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior.

determine a response of the remote user to the indication of the light level (column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the process 112 or, as illustrated, by processed at the telephone interface switch 102);

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

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32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
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22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz implicitly teaches but does not explicitly teach ***determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level***.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the explicit steps of determining, a light level at the remote location; providing, an indication of the light level, determining, a response of the remote user to the indication of the light level, thus, control lighting based on the amount of daylight available in their coverage area and saving valuable energy and cost. Such Obviousness and motivation is based on the knowledge generally available to one of ordinary skill in the art at the time of the invention. See *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988) and *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). 35 U.S.C. 103 authorizes a rejection where, to

meet the claim, it is necessary to modify a single reference or to combine it with one or more other references". The rationale to modify or combine the prior art does not have to be expressly stated in the prior art; the rationale may be expressly or impliedly contained in the prior art or it may be reasoned from knowledge generally available to one of ordinary skill in the art, established scientific principles, or legal precedent established by prior case law. *In re Fine, 837 F.2d 1071, 5 USPQ2d 1596* (Fed. Cir. 1988); *In re Jones, 958 F.2d 347, 21 USPQ2d 1941* (Fed. Cir. 1992). See also *In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317* (Fed. Cir. 2000) (setting forth test for implicit teachings); *In re Eli Lilly & Co., 902 F.2d 943, 14 USPQ2d 1741* (Fed. Cir. 1990) (discussion of reliance on legal precedent); *In re Nilssen, 851 F.2d 1401, 1403, 7 USPQ2d 1500, 1502* (Fed. Cir. 1988) (references do not have to explicitly suggest combining teachings); *Ex parte Clapp, 227 USPQ 972* (Bd. Pat. App. & Inter. 1985) (examiner must present convincing line of reasoning supporting rejection); and *Ex parte Levengood, 28 USPQ2d 1300* (Bd. Pat. App. & Inter. 1993) (reliance on logic and sound scientific reasoning).

8. Claims 3, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (US PAT 5412708) in view of Seeley et al. (US PAT 6091771, hereinafter Seeley).

In regards to claim 3, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

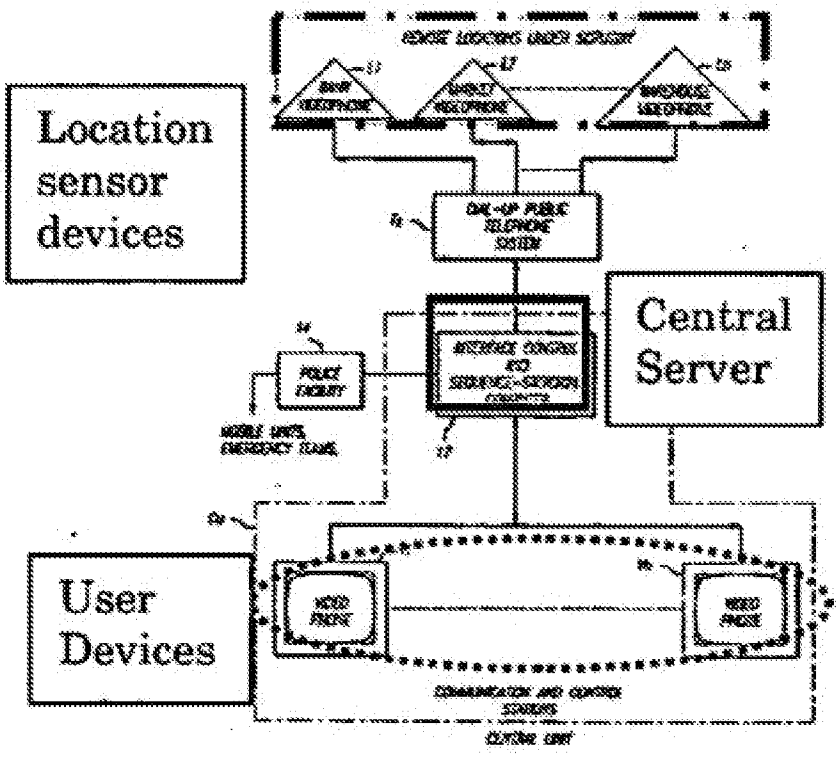

FIG. 1

determining, by the central server and based on information received from a motion sensor located at a remote location, a movement at the remote location;

(Katz teaches in addition to manual switches, automatic sensors are represented in FIG. 2. Specifically, a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.

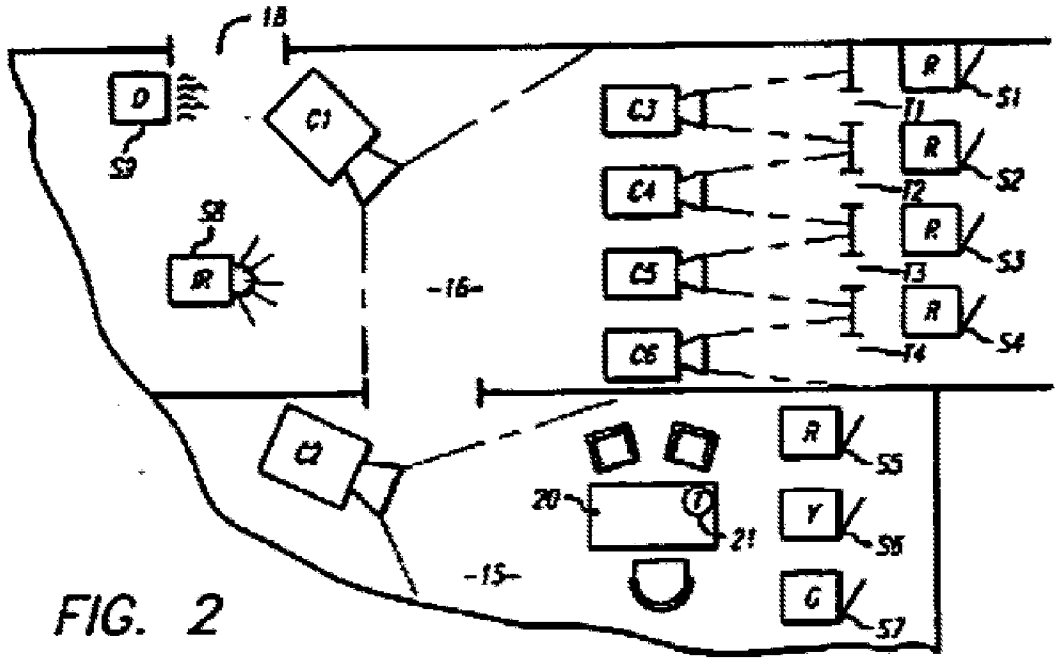

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could

be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

providing, by the central server, an indication of the movement to a remote device operated by a remote user; determining, by the central server and via the remote user device, a response of the remote user to the indication of the movement (Katz implicitly teach these limitations when he explains in column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass

through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU. Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the

response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz implicitly teaches but does not explicitly teach ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement.***

Seeley in the same or similar field of endeavor teaches in accordance with the invention, generally stated, a video security system monitors a plurality of separate premises from a central station. Each site has an image processor acquiring and processing visual images of locations about the premises. Motion by an intruder, detected by the image processor, produces an alarm input to an alarm unit which facilitates the transmission of authenticated snapshots of the scene, compressed video, and audio to the central station. A video processor at the central station receives and stores these inputs and in conjunction with a central alarm computer makes the transmitted signals available to a system operator at one of a plurality of workstations located at the central station. The operator, after viewing the transmissions, can, if the

intrusion is verified, alert appropriate authorities to investigate the premises. (column 4, lines 10-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement*** as suggested by Seeley. The motivation is that (as suggested by Seeley, columns 5-6 lines 60-15) if motion is detected, and the SCU confirms that the cause of the motion is from a source which is one of a predetermined class of causes, then the SCU sends an indication to AU 16, which generates an alarm and establishes, in conjunction with TA 20, a video communications channel between the SCU and the central station. The operator now does not have to continuously monitor unchanging video with which there is a low probability of an intruder presence. Rather, because the AU does not generate an alarm unless it is informed of a confirmed intrusion, the operator need only view video provided to him or her at that time. This allows the operator to readily monitor many premises from the central station, even though these premises are widely separated from one another, secure in the knowledge that an intrusion will not be missed. After viewing video images (snapshots) obtained from the viewing the scene where the intrusion is detected, if the operator confirms an intruder's presence, the operator relays this information to investigating authorities. Further, the operator can provide the authorities with an accurate assessment of the situation at the facility so

they can take the necessary precautions based upon the number of intruders, their ages, whether or not they are armed, etc.

In regards to claim 9, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be executed by a processor to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

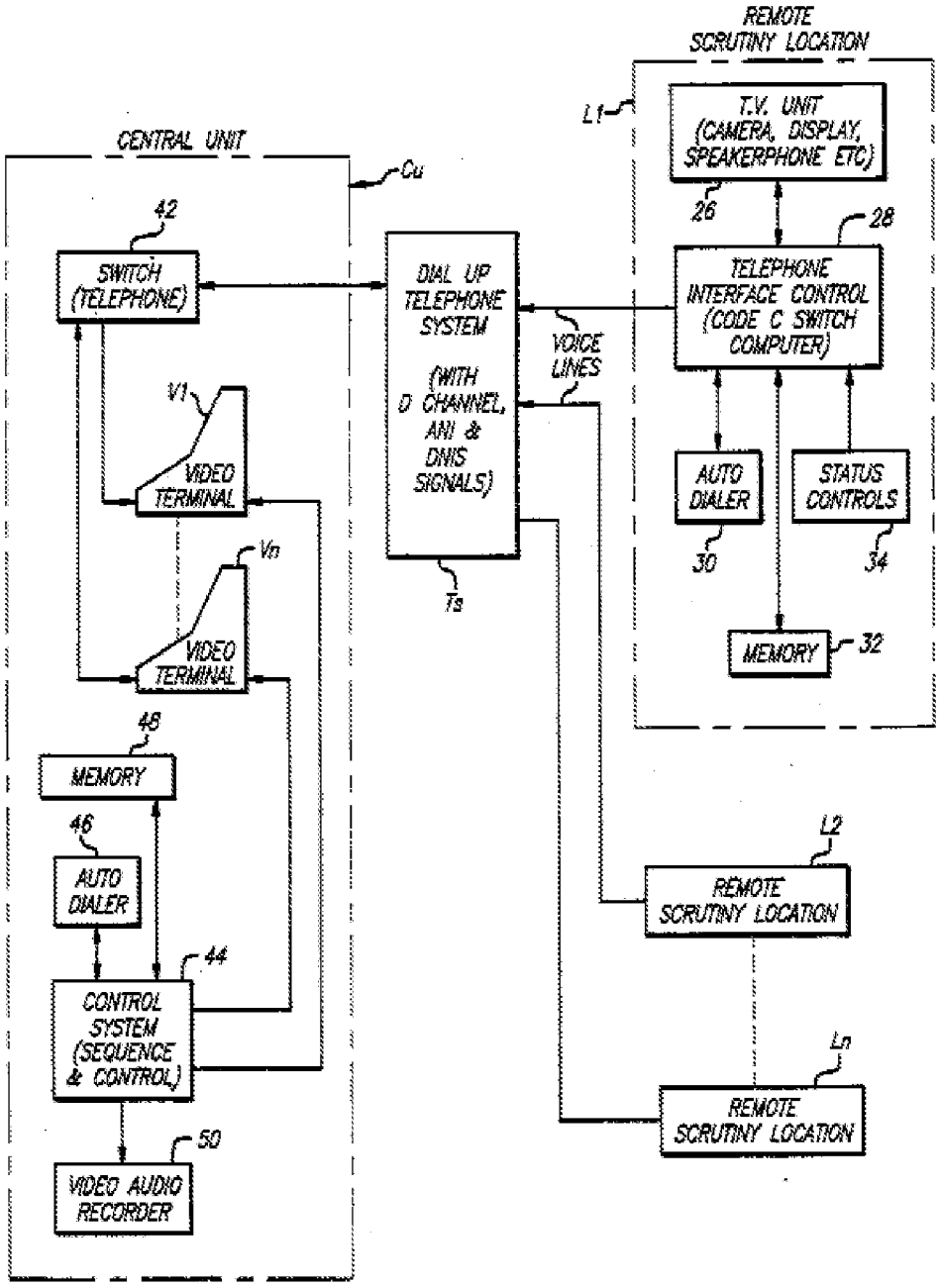

FIG. 3

determine, based on information received from a motion sensor located at a remote location, a movement at the remote location (Katz teaches in addition to manual switches, automatic sensors are represented in FIG. 2. Specifically, a switch S8

comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.

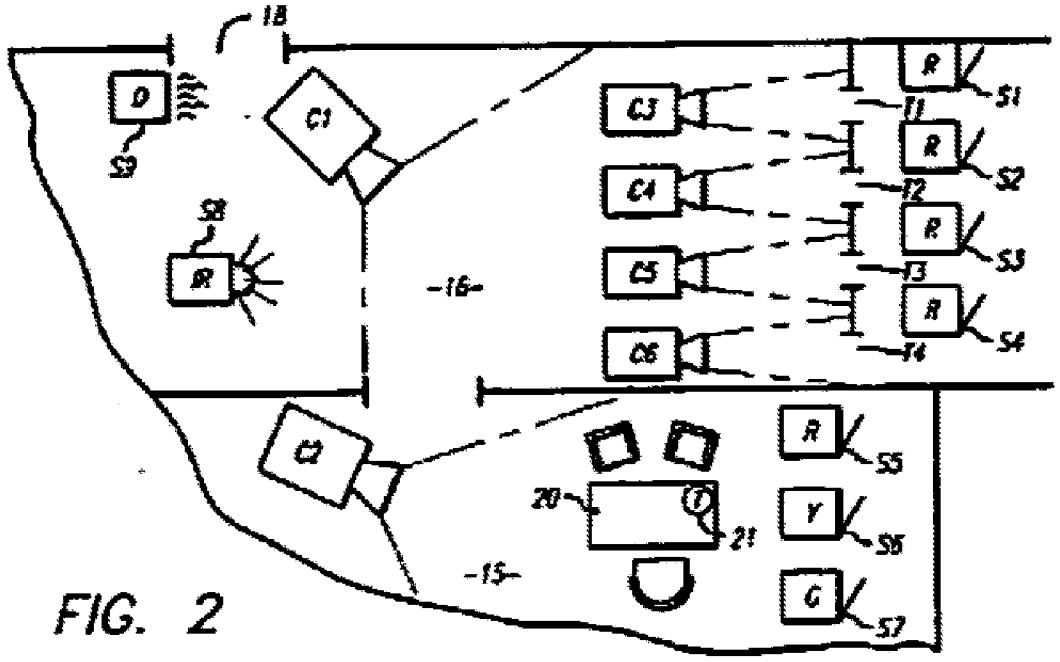

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific

one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

provide an indication of the movement to a remote device associated with a user; determine a response of the remote user to the indication of the movement (Katz implicitly teach these limitations when he explains in column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by

the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU. Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz implicitly teaches but does not explicitly teach ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement.***

Seeley in the same or similar field of endeavor teaches in accordance with the invention, generally stated, a video security system monitors a plurality of separate premises from a central station. Each site has an image processor acquiring and processing visual images of locations about the premises. Motion by an intruder, detected by the image processor, produces an alarm input to an alarm unit which facilitates the transmission of authenticated snapshots of the scene, compressed video, and audio to the central station. A video processor at the central station receives and stores these inputs and in conjunction with a central alarm computer makes the transmitted signals available to a system operator at one of a plurality of workstations

located at the central station. The operator, after viewing the transmissions, can, if the intrusion is verified, alert appropriate authorities to investigate the premises. (column 4, lines 10-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement*** as suggested by Seeley. The motivation is that (as suggested by Seeley, columns 5-6 lines 60-15) if motion is detected, and the SCU confirms that the cause of the motion is from a source which is one of a predetermined class of causes, then the SCU sends an indication to AU 16, which generates an alarm and establishes, in conjunction with TA 20, a video communications channel between the SCU and the central station. The operator now does not have to continuously monitor unchanging video with which there is a low probability of an intruder presence. Rather, because the AU does not generate an alarm unless it is informed of a confirmed intrusion, the operator need only view video provided to him or her at that time. This allows the operator to readily monitor many premises from the central station, even though these premises are widely separated from one another, secure in the knowledge that an intrusion will not be missed. After viewing video images (snapshots) obtained from the viewing the scene where the intrusion is detected, if the operator confirms an intruder's presence, the operator relays this information to investigating authorities. Further, the operator can provide the authorities with an accurate assessment of the situation at the facility so

they can take the necessary precautions based upon the number of intruders, their ages, whether or not they are armed, etc.

In regards to claim 15, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

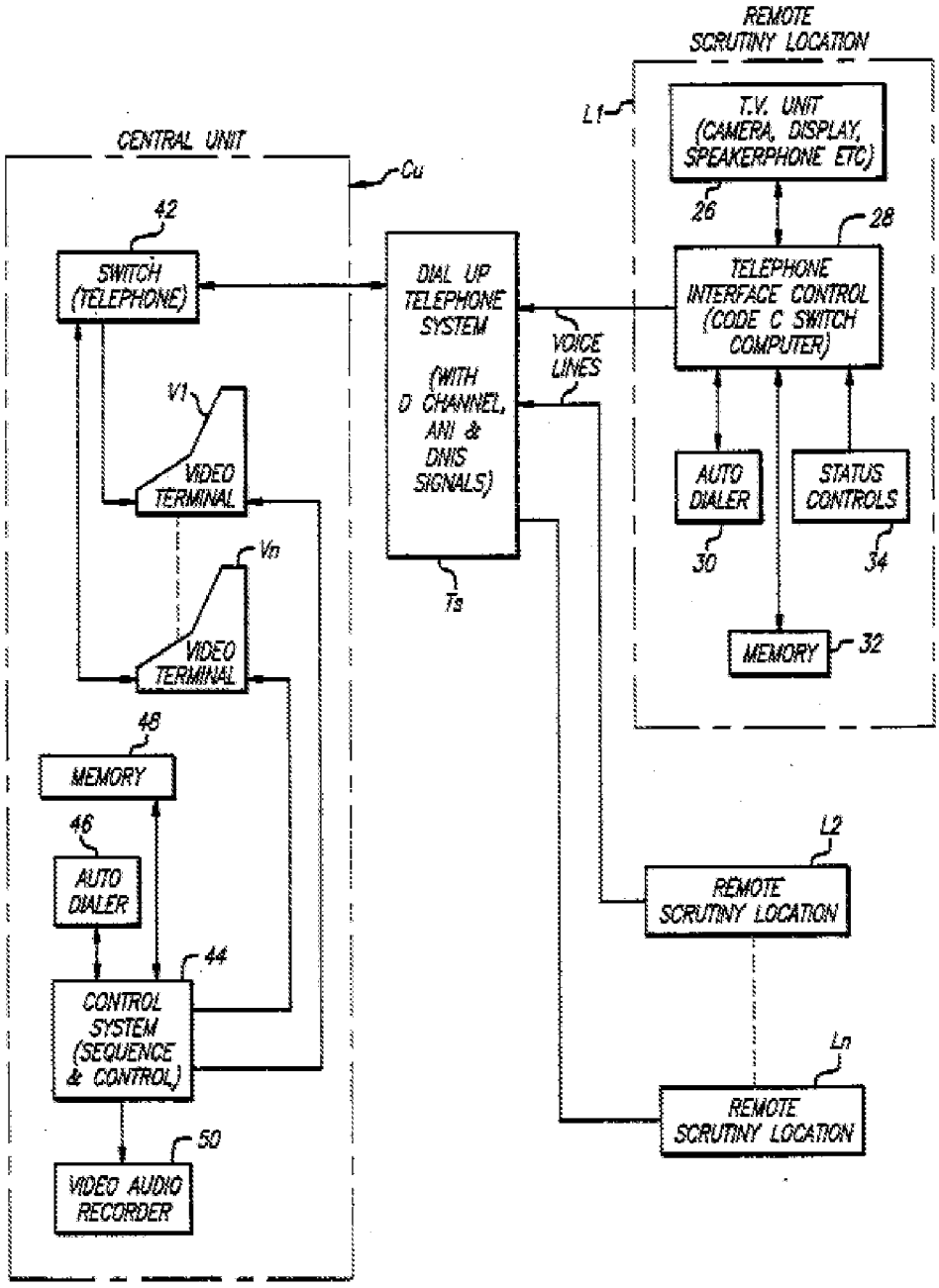

FIG. 3

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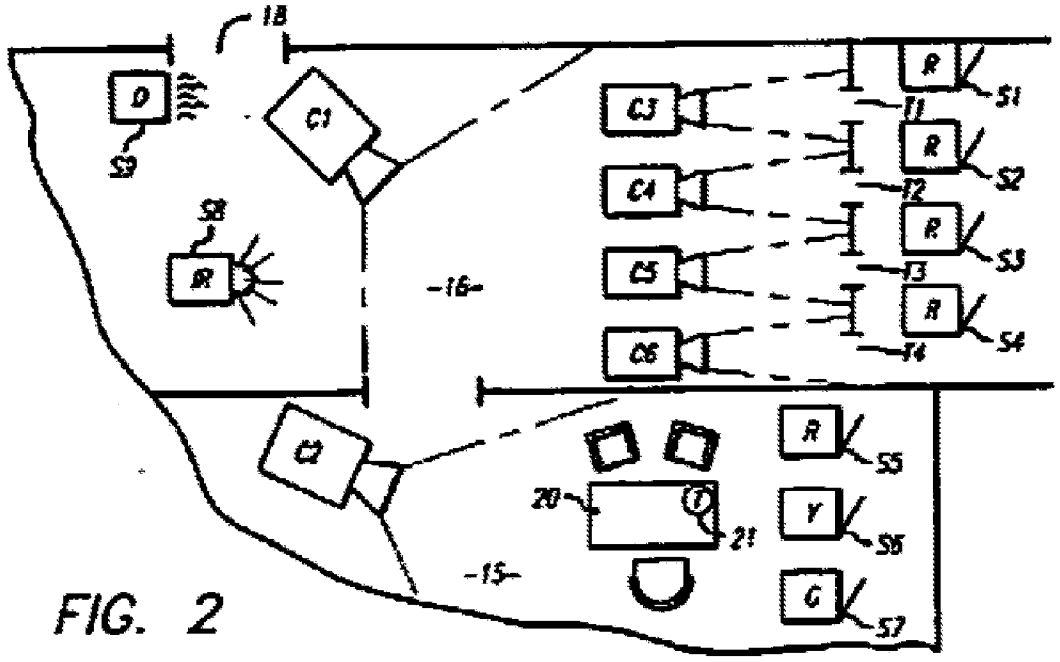

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific

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the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU. Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

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40	Camera	Designates a camera command is to follow
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43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
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Katz implicitly teaches but does not explicitly teach ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement.***

Seeley in the same or similar field of endeavor teaches in accordance with the invention, generally stated, a video security system monitors a plurality of separate premises from a central station. Each site has an image processor acquiring and processing visual images of locations about the premises. Motion by an intruder, detected by the image processor, produces an alarm input to an alarm unit which facilitates the transmission of authenticated snapshots of the scene, compressed video, and audio to the central station. A video processor at the central station receives and stores these inputs and in conjunction with a central alarm computer makes the transmitted signals available to a system operator at one of a plurality of workstations

located at the central station. The operator, after viewing the transmissions, can, if the intrusion is verified, alert appropriate authorities to investigate the premises. (column 4, lines 10-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***providing an indication of the movement to a remote device operated by a remote user; determining a response of the remote user to the indication of the movement*** as suggested by Seeley. The motivation is that (as suggested by Seeley, columns 5-6 lines 60-15) if motion is detected, and the SCU confirms that the cause of the motion is from a source which is one of a predetermined class of causes, then the SCU sends an indication to AU 16, which generates an alarm and establishes, in conjunction with TA 20, a video communications channel between the SCU and the central station. The operator now does not have to continuously monitor unchanging video with which there is a low probability of an intruder presence. Rather, because the AU does not generate an alarm unless it is informed of a confirmed intrusion, the operator need only view video provided to him or her at that time. This allows the operator to readily monitor many premises from the central station, even though these premises are widely separated from one another, secure in the knowledge that an intrusion will not be missed. After viewing video images (snapshots) obtained from the viewing the scene where the intrusion is detected, if the operator confirms an intruder's presence, the operator relays this information to investigating authorities. Further, the operator can provide the authorities with an accurate assessment of the situation at the facility so

they can take the necessary precautions based upon the number of intruders, their ages, whether or not they are armed, etc.

9. Claims 4, 5, 10, 11, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz (US PAT 5412708) in view of Chen et al. (US PAT 5553609, hereinafter Chen).

In regards to claim 4, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

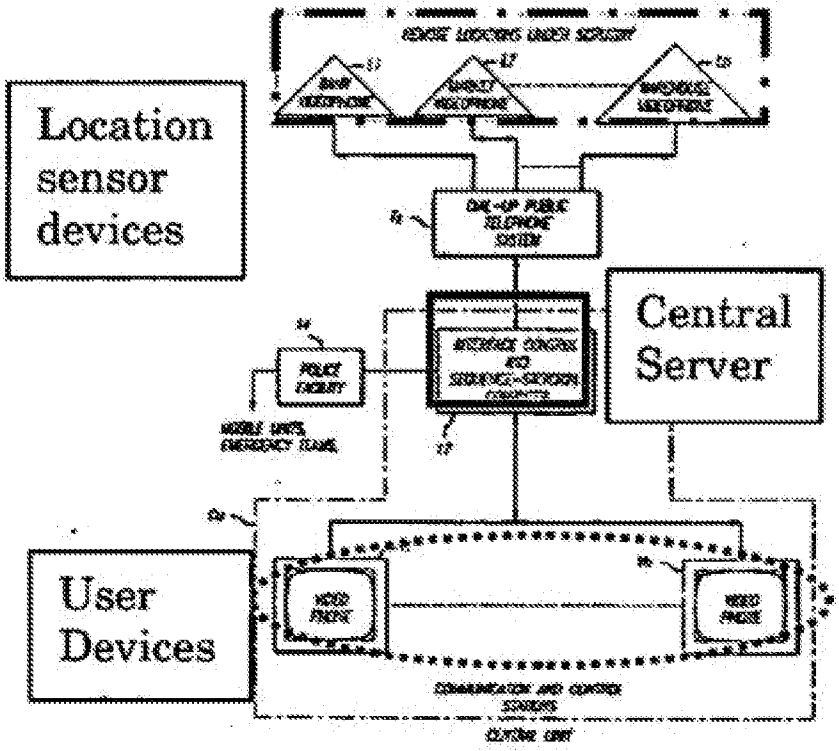

FIG. 1

determining, by the central server and based on information received from a sensor located at a remote location, a sensor triggering event at the remote

location (Katz teaches in addition to manual switches, automatic sensors are represented in FIG. 2. Specifically, a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.

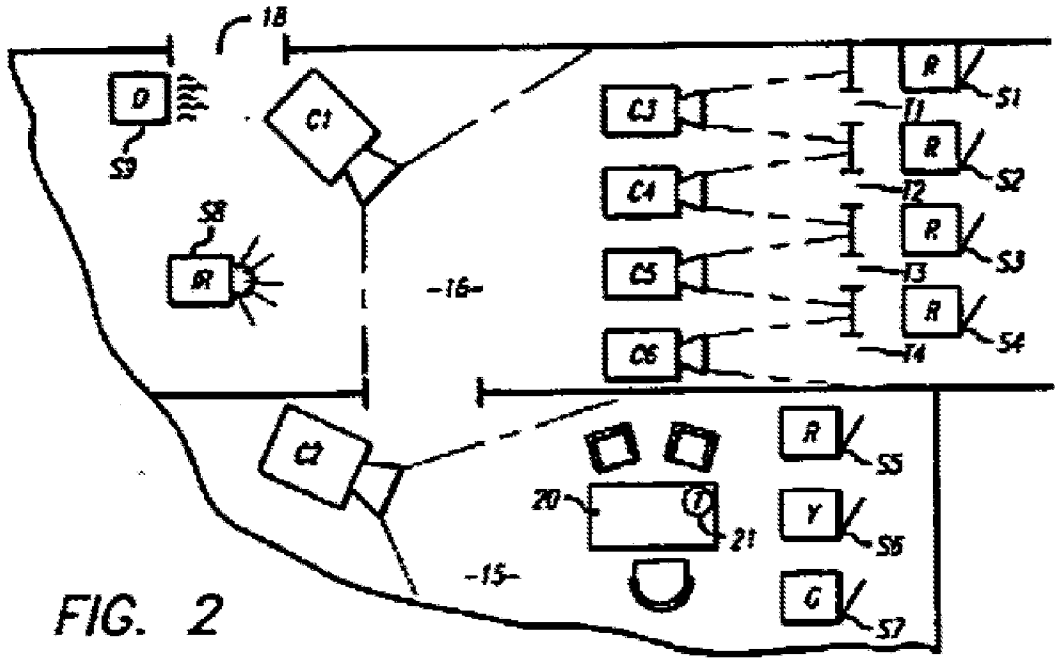

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the

identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

providing, by the central server, an indication of the event to a remote device operated by a remote user; determining, by the central server and via the remote user device, a response of the remote user to the indication of the event

(Katz teaches these limitations when he explains in column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including

supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU.

Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.)

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
.	.	.
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
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Katz does not explicitly teach ***determining, based on information received from a pressure sensor located at a remote location, a pressure at the remote location; providing, an indication of the pressure to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the pressure.***

Chen in the same or similar field of endeavor teaches a computer-based remote visual monitoring system is provided for in-home patient health care from a remote location via ordinary telephone lines. The system includes a supervisory control center having access to patient and health care professional databases for assigning patients to appropriate health care professionals and for performing task planning. A number of master monitoring computers are linked to the control center and are accessible by a corresponding number of health care professionals. A slave monitoring computer is located within the homes of a plurality of patients and may be linked via telephone modems to any of the master monitoring computers (Abstract).

Chen teaches as a second example, the present invention contemplates that a plurality of sensors may be placed in a patient's home to detect various patient data under the direction of the health care professional via the MMS computer 40. The sensors may require patient interaction to provide the data, or may be connected beforehand, for example, to a bedridden patient so that data may be obtained by the health care professional without patient interaction. In either case, the sensors will provide real-time data with respect to, for example, patient weight, blood pressure, body temperature, heartbeat (pulse rate) and blood sugar (columns 16-17, lines 65-8).

Chen teaches a remote monitoring system for permitting a health care professional to provide health care to a patient in the patient's home from a remote location comprises an actuator located in the patient's home, wherein the actuator is responsive to a control signal to actuate and deactuate a home feature, a sensor associated with the actuator, wherein the sensor senses the operating status of the home feature and provides a sensor signal corresponding thereto, a master monitoring computer located remote from the patient's home, wherein the master monitoring computer has a first telephone modem associated therewith for providing a control signal to the actuator in response to a corresponding operator command provided by the health care professional and the master monitoring computer receives the sensor signal via the first modem and has means associated therewith for determining the operating status of the home feature from the sensor signal; and a slave monitoring computer located in the patient's home, wherein the slave monitoring computer has a second telephone modem associated therewith and is in communication with the master

monitoring computer via a telephone link established between the first and second modems. The slave monitoring computer receives the control signal from the master monitoring computer and provides the control signal to the actuator so that the health care professional may control the home feature in real time from a remote location to thereby provide an aspect of home health care (column 3 lines 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***determining, based on information received from a pressure sensor located at a remote location, a pressure at the remote location; providing, an indication of the pressure to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the pressure*** as suggested by Chen. The motivation is that (as suggested by Chen, column 5 lines 4-15) such method provides a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like.

In regards to claim 10, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be***

executed by a processor to: (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

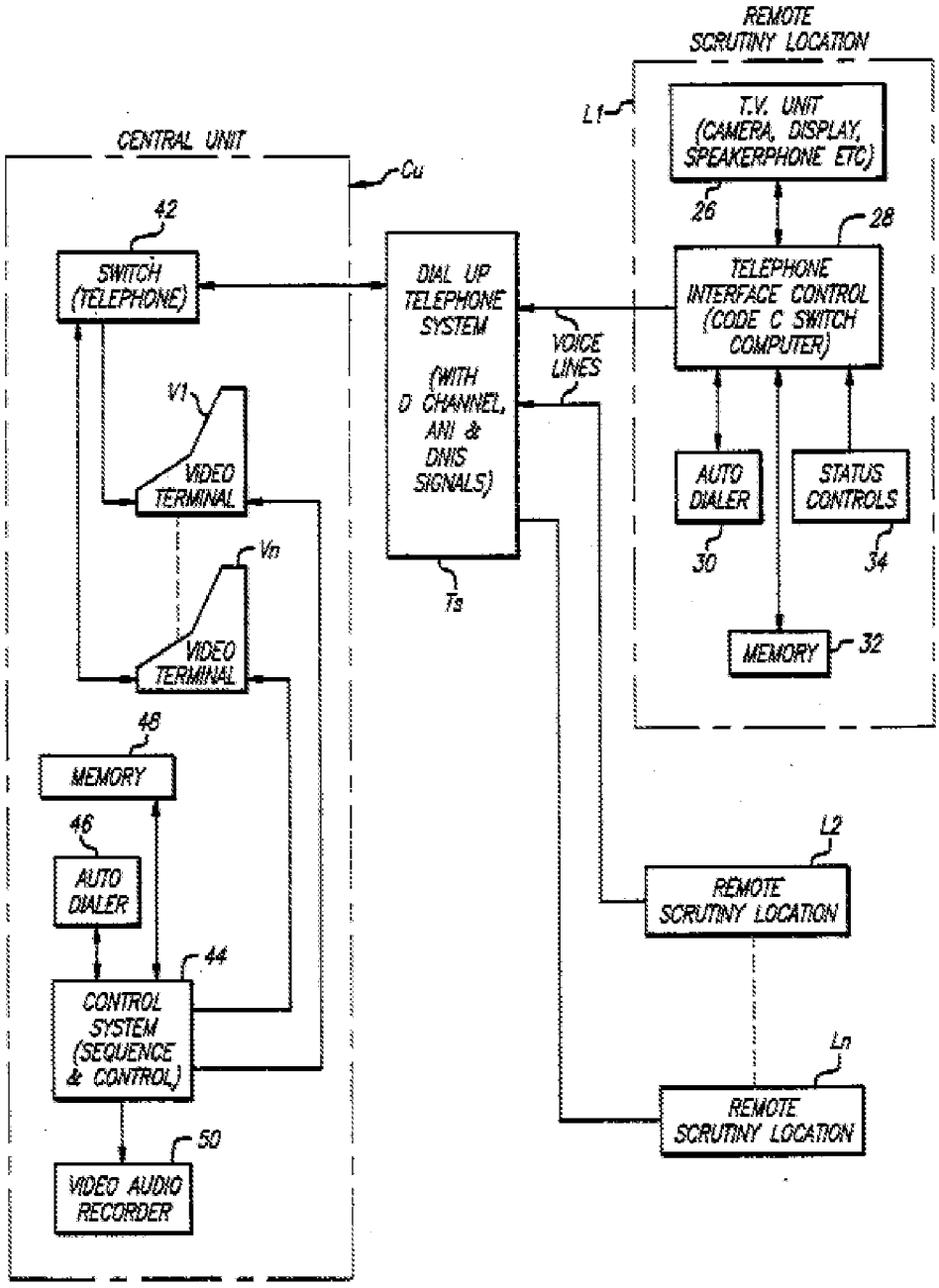

FIG. 3

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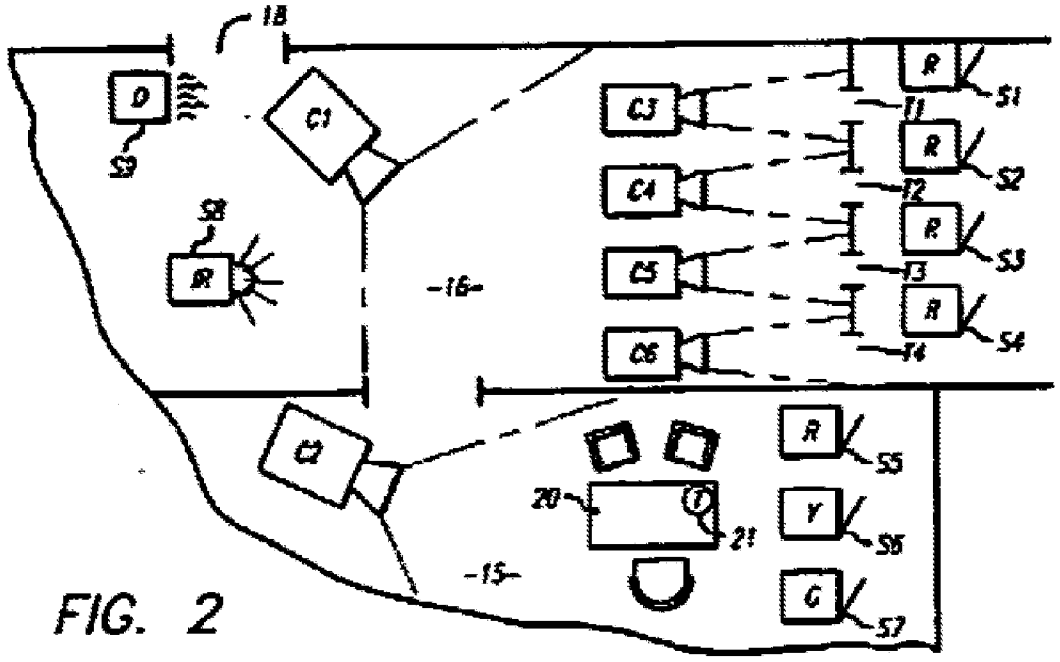

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	.	
	.	
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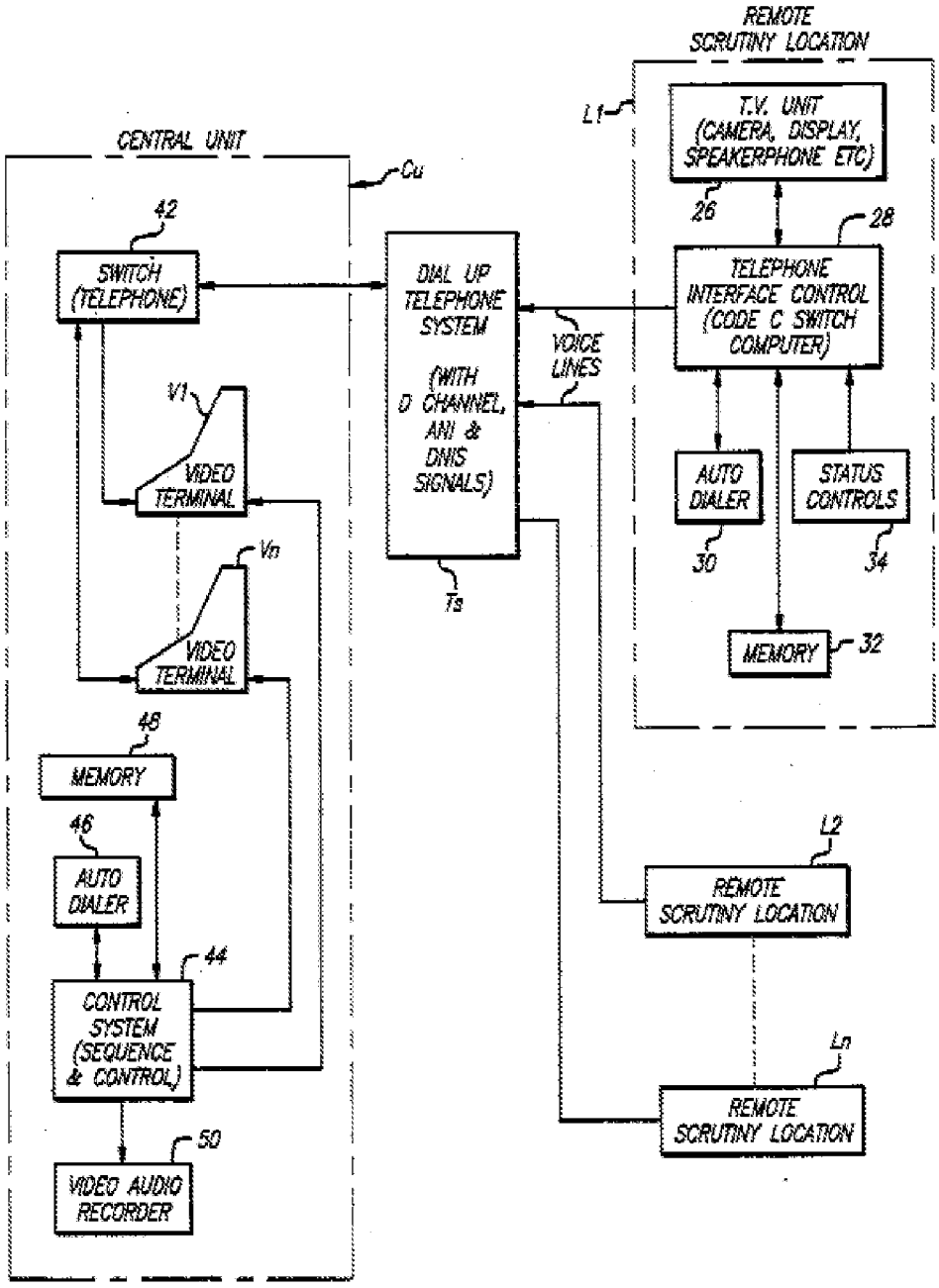
In regards to claim 16, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)



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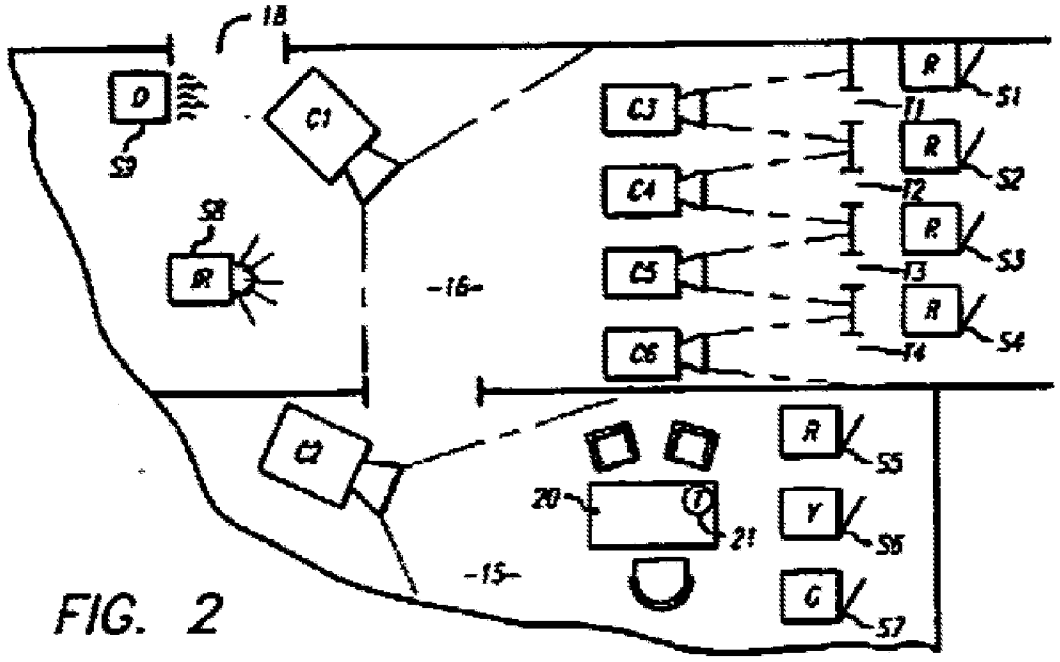

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Chen teaches a remote monitoring system for permitting a health care professional to provide health care to a patient in the patient's home from a remote location comprises an actuator located in the patient's home, wherein the actuator is responsive to a control signal to actuate and deactuate a home feature, a sensor associated with the actuator, wherein the sensor senses the operating status of the home feature and provides a sensor signal corresponding thereto, a master monitoring computer located remote from the patient's home, wherein the master monitoring computer has a first telephone modem associated therewith for providing a control signal to the actuator in response to a corresponding operator command provided by the health care professional and the master monitoring computer receives the sensor signal via the first modem and has means associated therewith for determining the operating status of the home feature from the sensor signal; and a slave monitoring

computer located in the patient's home, wherein the slave monitoring computer has a second telephone modem associated therewith and is in communication with the master monitoring computer via a telephone link established between the first and second modems. The slave monitoring computer receives the control signal from the master monitoring computer and provides the control signal to the actuator so that the health care professional may control the home feature in real time from a remote location to thereby provide an aspect of home health care (column 3 lines 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***determining, based on information received from a pressure sensor located at a remote location, a pressure at the remote location; providing, an indication of the pressure to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the pressure*** as suggested by Chen. The motivation is that (as suggested by Chen, column 5 lines 4-15) such method provides a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like.

In regards to claim 5, Katz teaches ***a method for monitoring a remote location via a central server, comprising:***

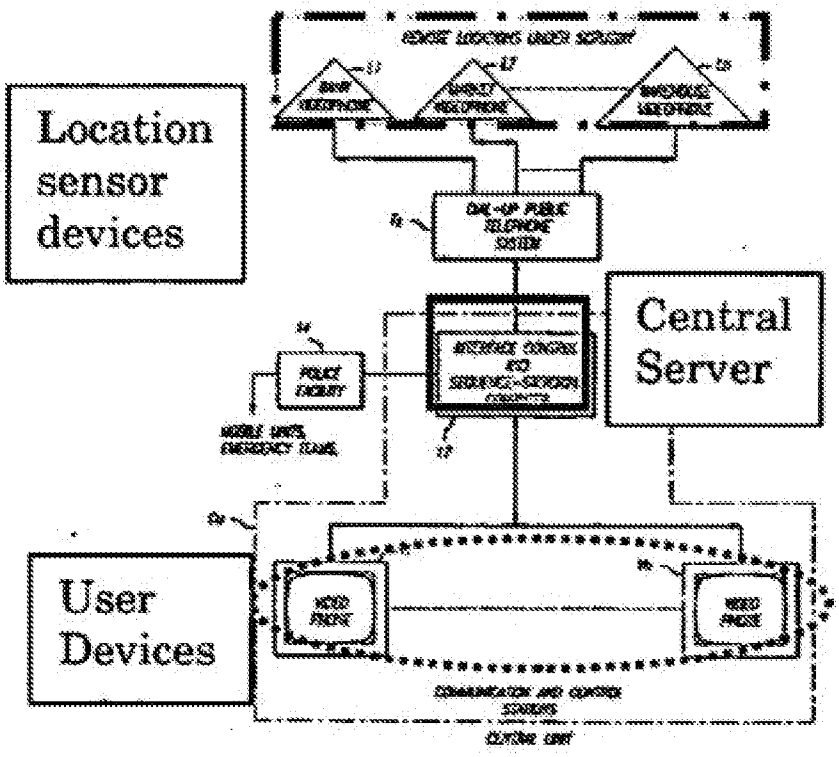

FIG. 1

determining, by the central server and based on information received from a sensor located at a remote location, a sensor triggering event at the remote location (Katz teaches in addition to manual switches, automatic sensors are represented in FIG. 2. Specifically, a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.

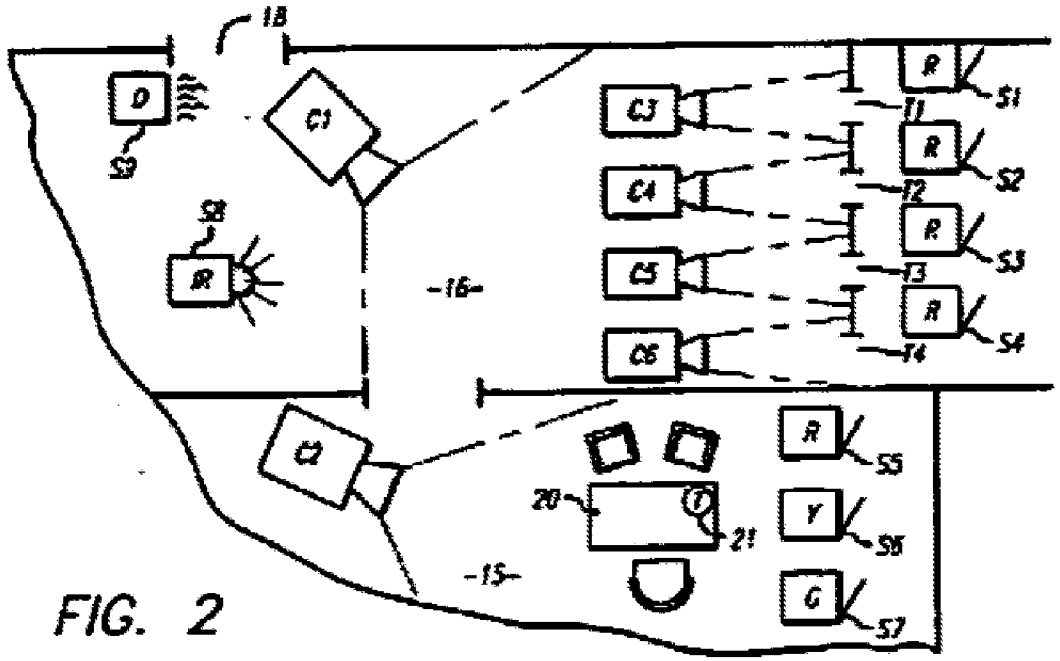

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could

be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

providing, by the central server, an indication of the event to a remote device operated by a remote user; determining, by the central server and via the remote user device, a response of the remote user to the indication of the event

(Katz teaches these limitations when he explains in column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass

through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU. Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.)

determining, by the central server and based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the

response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

CHART 2

Command	Name	Operation
30	Status	Designates a status command is to follow
31	Routine	Sets "routine" status
32	Alert	Sets "alert" status
33	Emergency	Sets "emergency" status
40	Camera	Designates a camera command is to follow
41	Camera C1	Sets camera C1 active
42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz does not explicitly teach ***determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature.***

Chen in the same or similar field of endeavor teaches a computer-based remote visual monitoring system is provided for in-home patient health care from a remote location via ordinary telephone lines. The system includes a supervisory control center having access to patient and health care professional databases for assigning patients to appropriate health care professionals and for performing task planning. A number of master monitoring computers are linked to the control center and are accessible by a corresponding number of health care professionals. A slave monitoring computer is located within the homes of a plurality of patients and may be linked via telephone modems to any of the master monitoring computers (Abstract).

Chen teaches as a second example, the present invention contemplates that a plurality of sensors may be placed in a patient's home to detect various patient data under the direction of the health care professional via the MMS computer 40. The sensors may require patient interaction to provide the data, or may be connected beforehand, for example, to a bedridden patient so that data may be obtained by the health care professional without patient interaction. In either case, the sensors will provide real-time data with respect to, for example, patient weight, blood pressure, body temperature, heartbeat (pulse rate) and blood sugar (columns 16-17, lines 65-8).

Chen teaches a remote monitoring system for permitting a health care professional to provide health care to a patient in the patient's home from a remote location comprises an actuator located in the patient's home, wherein the actuator is responsive to a control signal to actuate and deactuate a home feature, a sensor associated with the actuator, wherein the sensor senses the operating status of the home feature and provides a sensor signal corresponding thereto, a master monitoring computer located remote from the patient's home, wherein the master monitoring computer has a first telephone modem associated therewith for providing a control signal to the actuator in response to a corresponding operator command provided by the health care professional and the master monitoring computer receives the sensor signal via the first modem and has means associated therewith for determining the operating status of the home feature from the sensor signal; and a slave monitoring computer located in the patient's home, wherein the slave monitoring computer has a second telephone modem associated therewith and is in communication with the master

monitoring computer via a telephone link established between the first and second modems. The slave monitoring computer receives the control signal from the master monitoring computer and provides the control signal to the actuator so that the health care professional may control the home feature in real time from a remote location to thereby provide an aspect of home health care (column 3 lines 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature*** as suggested by Chen. The motivation is that (as suggested by Chen, column 5 lines 4-15) such method provides a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like.

In regards to claim 11, Katz teaches ***a computer program product, comprising a computer usable medium having a computer readable program code embodied therein, said computer readable program code adapted to be***

executed by a processor to (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

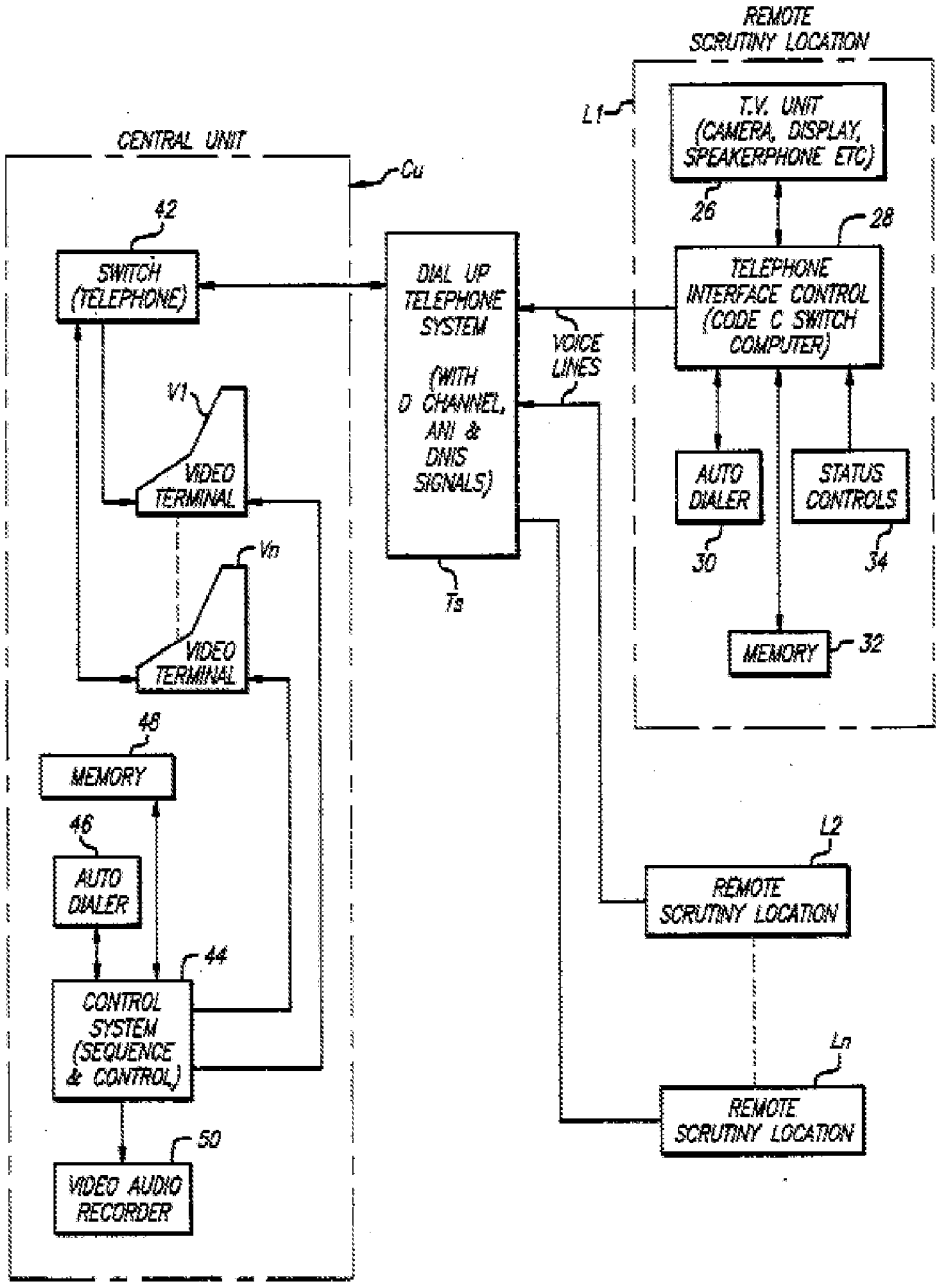

FIG. 3

determine, based on information received from a sensor located at a remote location, a sensor triggering event at the remote location (Katz teaches in addition to manual switches, automatic sensors are represented in FIG. 2. Specifically,

a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.

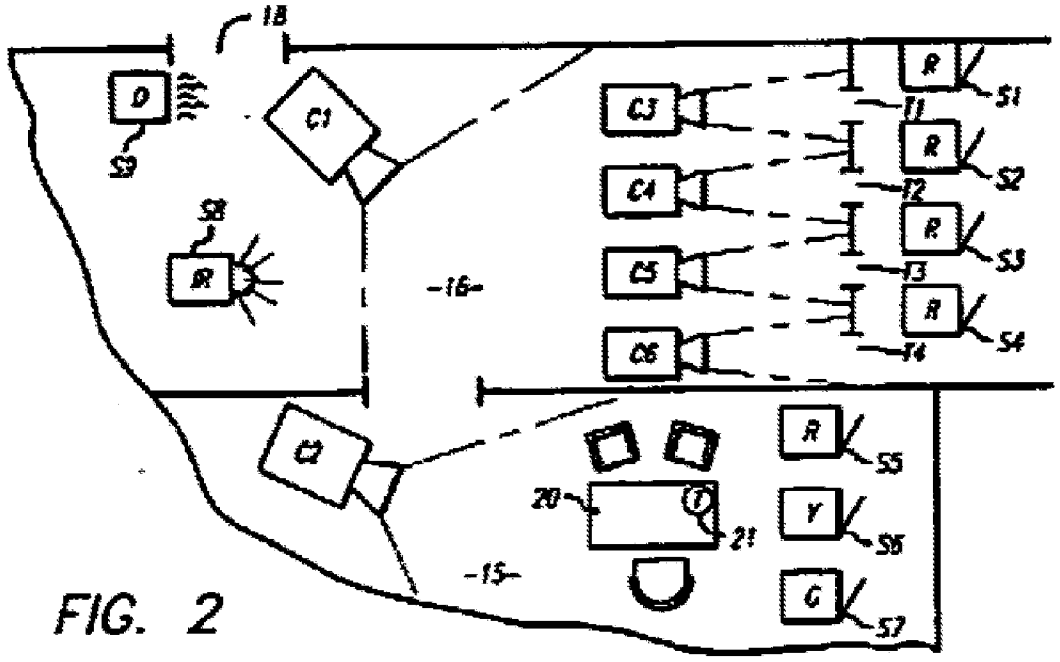

FIG. 2

Katz teaches in column 8, lines 15-38, …the central unit CU functions both to initiate outgoing calls and receive incoming calls for flexibly monitoring the remote scrutiny locations L1-Ln. To continue with the explanation of an incoming call, when the switch 42 in the central unit CU receives an incoming call, it will be connected to one of the video terminals V1-Vn. Concurrently, incoming data signals (DNIS and ANI) are passed to the control system 44. From the memory 48, the system 44 fetches the identification of the location L1 and the designated status, e.g., "emergency" "alert" or "routine" With such signal represented data, the control system 44 may select a specific

one of the terminals, e.g. terminal V1, to handle the call. The control system 44 then provides computer graphic signals to the video terminal V1 supplementing the coupled television scene display. Specifically, the video terminal V1 presents a viewer with a composite display of a scene at the location L1 along with graphic data. For example, assuming the location L1 is a bank branch office, the display by the terminal V1 could be somewhat as represented in FIG. 4. In that regard, the display has been simplified for purposes of explanation, particularly with regard to the room interior);

provide an indication of the event to a remote device associated with a user; determine a response of the remote user to the indication of the event (Katz teaches these limitations when he explains in column 13, lines 7-32, Recapitulating to some extent, on receipt of an incoming call, ANI and DNIS data is processed along with the subsequent encoded videophone signal for application to a select monitor station to provide the picture display (scene and graphics) as generally represented in FIG. 4. Upon such an occurrence, the manual control panel 80 (FIGS. 5 and 6) adjacent the monitor 114 may be utilized to accomplish a number of operations including: changing the status, selecting a particular camera and controlling the zooming or panning of the camera, actuating either audio or video manifestations at the bank location L1, effecting a police connection, and so on. Accordingly, any of a number of courses may be pursued under the control of a trained operator including supplements to the video record as in the form of comments. As indicated above, the operator can command a synthesized voice message at the location L1. Specifically, voice data is drawn from the memory 48 (audio dictionary), a message is formulated by the central computer using

well known techniques of the art and provided to a voice generator 111. The audio output from the voice generator 111 is processed by a videophone processor 112 for transmission to the remote location L1, and may pass through the processor 112 or, as illustrated, by processed at the telephone interface switch 102).

Katz teaches upon the occurrence of a condition at one of the scrutiny locations L1-Ln suggesting or indicating a special situation, or merely as a check, a command signal may be initiated either manually or automatically to accomplish the communication. Such a command signal indicates either a "routine" situation (green), an "alert" situation (yellow) or an "emergency" situation (red)." Katz, col. 6, line 11-18.

Katz teaches in any event, DNIS signals indicate the called number from the bank location L1. With the data (DNIS for situation, ANI for identification) the computer 12 fetches identification data for a graphic display at the videophone station V1. Thus, the videophone station V1 displays a video scene within the bank location L1 along with graphic data, for example, to indicate: the nature of the special situation, e.g. "alert" or "emergency", the location, key personnel and so on." Katz, col. 4, lines 22-32.

Katz teaches upon attaining communication with the central unit CU, the remote scrutiny location L1 is in videophone communication with the central unit CU. Specifically, the television unit 26 provides videophone signals through the unit 28 and the dial-up telephone system TS to the central unit CU to manifest the current circumstances in the form of a scene and graphics." Katz, col. 7, lines 28-34.)

determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

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42	Camera C2	Sets camera C2 active
43	Camera C3	Sets camera C3 active
	.	
	.	
	.	
50	Synthesized Voice	Designates a synthesized voice command is to follow
51	Observed	Actuate voice generator to announce: "You are being observed . . . "
52	Recorded	Actuates voice generator to announce: "You are being recorded . . . "

With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
20	Op. Comm.	Operational commands to follow
21	Pre. Seq.	Revert to sequencing a predetermined program of locations
22	Rand. Seq.	Revert to sequencing a random program of locations
23	Set Call	Dial up a select location as identified by a four-digit number to follow
24	Police	Actuate police connection
.	.	.
.	.	.
.	.	.

Katz does not explicitly teach ***determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature.***

Chen in the same or similar field of endeavor teaches a computer-based remote visual monitoring system is provided for in-home patient health care from a remote location via ordinary telephone lines. The system includes a supervisory control center having access to patient and health care professional databases for assigning patients to appropriate health care professionals and for performing task planning. A number of master monitoring computers are linked to the control center and are accessible by a corresponding number of health care professionals. A slave monitoring computer is

located within the homes of a plurality of patients and may be linked via telephone modems to any of the master monitoring computers (Abstract).

Chen teaches as a second example, the present invention contemplates that a plurality of sensors may be placed in a patient's home to detect various patient data under the direction of the health care professional via the MMS computer 40. The sensors may require patient interaction to provide the data, or may be connected beforehand, for example, to a bedridden patient so that data may be obtained by the health care professional without patient interaction. In either case, the sensors will provide real-time data with respect to, for example, patient weight, blood pressure, body temperature, heartbeat (pulse rate) and blood sugar (columns 16-17, lines 65-8).

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computer located in the patient's home, wherein the slave monitoring computer has a second telephone modem associated therewith and is in communication with the master monitoring computer via a telephone link established between the first and second modems. The slave monitoring computer receives the control signal from the master monitoring computer and provides the control signal to the actuator so that the health care professional may control the home feature in real time from a remote location to thereby provide an aspect of home health care (column 3 lines 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature*** as suggested by Chen. The motivation is that (as suggested by Chen, column 5 lines 4-15) such method provides a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like.

In regards to claim 17, Katz teaches ***an apparatus comprising: a processor; and a storage device that stores a program for directing the processor, the processor being operative with the program to:*** (From the control computer 44, the representative ANI signals address the memory 48 to fetch detailed graphic information, specifically the identification data 72 as illustrated in FIG. 4. A signal represented form of such data is supplied from the control computer 44 through one of a series of graphic lines G1-Gn to a selected one of the monitor stations V1-Vn. Application to the station V1 will be assumed in pursuing the explanation, however, details of such selection are treated below." Katz, col. 12, lines 15-24)

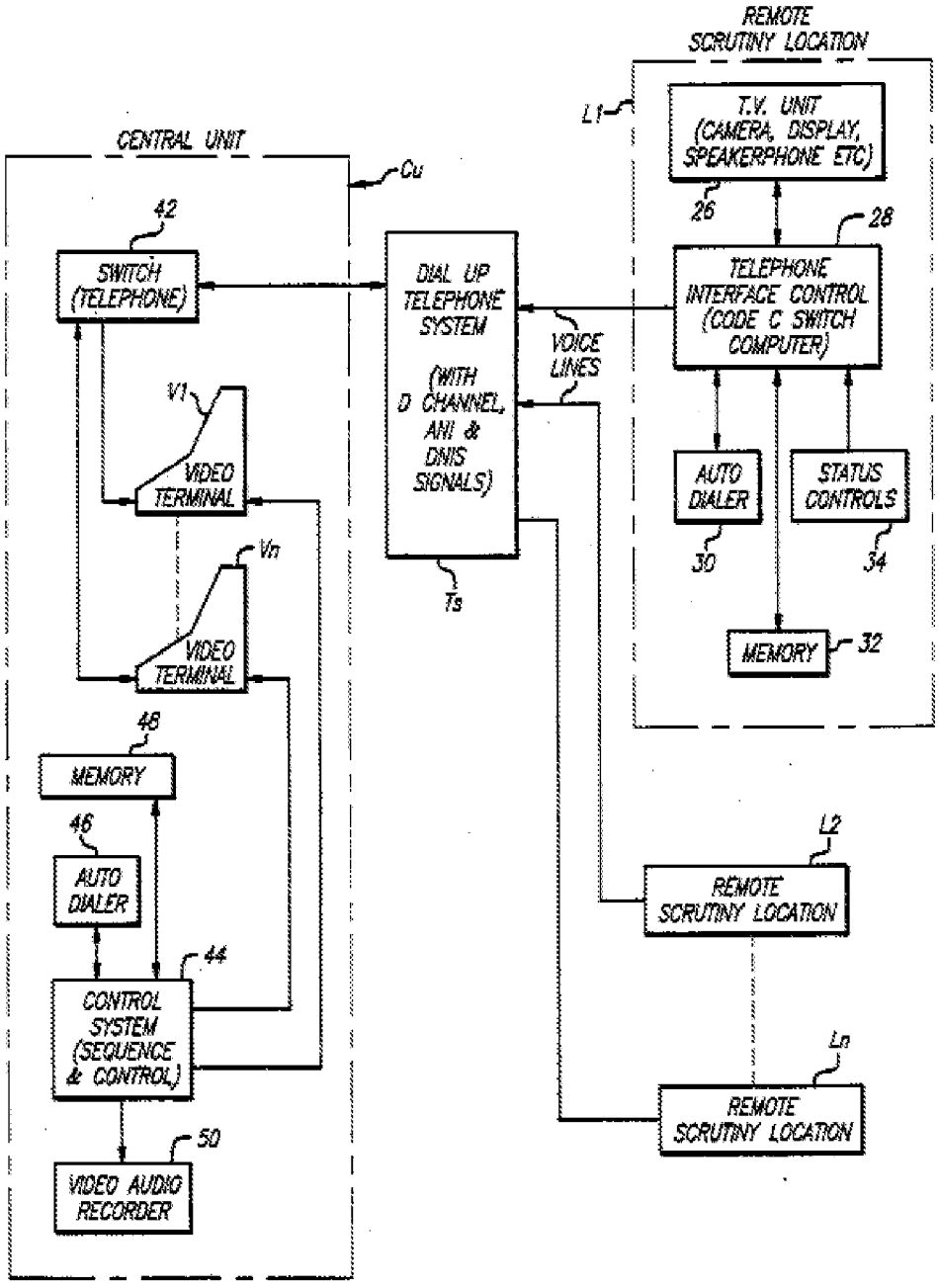

FIG. 3

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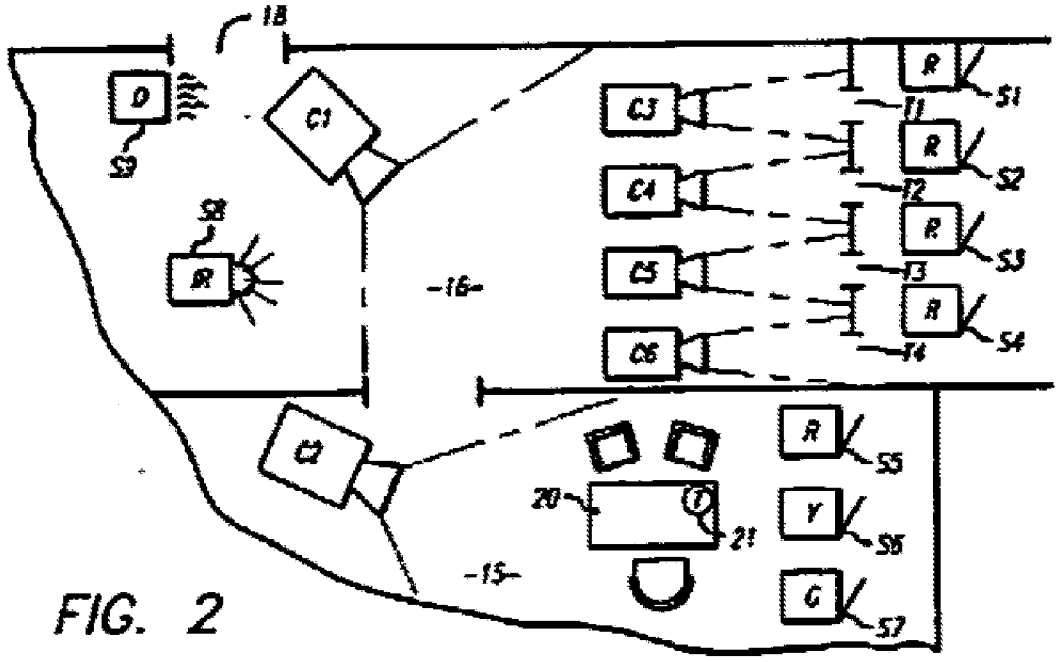
a switch S8 comprises an infrared sensor for detecting motion. Of course, various forms of sensors and various operating philosophies may be implemented. For example, in the arrangement of FIG. 2, the absence of motion (routine business) within the room 16 actuates the sensor switch 18 to indicate an alert situation. Alternatively, motion in certain areas, at certain times may indicate an emergency." Katz, col. 5 lines 41-51.



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determine, based on the response, a status of the remote location, wherein the status of the remote location is determined to be a first status if the response is a first response, and a second status if the response is a second response (column 9, lines 40-67, columns 10-11, lines 65-15, Recognizing that communications to the terminal V1 can be variously initiated, the control panel enable various commands. Again, recognize that communication may be established in a program sequence or originated at either the central unit CU or a remote location L1-Ln. Generally, by using the telephone keypad 82 on the panel 80, various functions can be accomplished as indicated by the following chart.

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	.	
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With the system in a cleared state, any of a variety of operational commands may be given, for example, a partial list of such commands is:

CHART 3

Command	Name	Operation
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Chen in the same or similar field of endeavor teaches a computer-based remote visual monitoring system is provided for in-home patient health care from a remote location via ordinary telephone lines. The system includes a supervisory control center having access to patient and health care professional databases for assigning patients to appropriate health care professionals and for performing task planning. A number of master monitoring computers are linked to the control center and are accessible by a corresponding number of health care professionals. A slave monitoring computer is

located within the homes of a plurality of patients and may be linked via telephone modems to any of the master monitoring computers (Abstract).

Chen teaches as a second example, the present invention contemplates that a plurality of sensors may be placed in a patient's home to detect various patient data under the direction of the health care professional via the MMS computer 40. The sensors may require patient interaction to provide the data, or may be connected beforehand, for example, to a bedridden patient so that data may be obtained by the health care professional without patient interaction. In either case, the sensors will provide real-time data with respect to, for example, patient weight, blood pressure, body temperature, heartbeat (pulse rate) and blood sugar (columns 16-17, lines 65-8).

Chen teaches a remote monitoring system for permitting a health care professional to provide health care to a patient in the patient's home from a remote location comprises an actuator located in the patient's home, wherein the actuator is responsive to a control signal to actuate and deactuate a home feature, a sensor associated with the actuator, wherein the sensor senses the operating status of the home feature and provides a sensor signal corresponding thereto, a master monitoring computer located remote from the patient's home, wherein the master monitoring computer has a first telephone modem associated therewith for providing a control signal to the actuator in response to a corresponding operator command provided by the health care professional and the master monitoring computer receives the sensor signal via the first modem and has means associated therewith for determining the operating status of the home feature from the sensor signal; and a slave monitoring

computer located in the patient's home, wherein the slave monitoring computer has a second telephone modem associated therewith and is in communication with the master monitoring computer via a telephone link established between the first and second modems. The slave monitoring computer receives the control signal from the master monitoring computer and provides the control signal to the actuator so that the health care professional may control the home feature in real time from a remote location to thereby provide an aspect of home health care (column 3 lines 23-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate in Katz's teaching the steps of ***determining, based on information received from a Thermal sensor located at a remote location, a temperature at the remote location; providing, an indication of the temperature to a remote device operated by a remote user; determining, via the remote user device, a response of the remote user to the indication of the temperature*** as suggested by Chen. The motivation is that (as suggested by Chen, column 5 lines 4-15) such method provides a health care professional with the ability to control bodily condition sensors located within a patient's home, in real-time, to permit the health care professional to detect a variety of bodily conditions. Still a further motivation is to provide a health care professional with the ability to control home features located within a patient's home, in real-time, to permit the health care professional to assist a patient in controlling home appliances, home environmental features and the like.

Conclusion

10. THIS ACTION IS MADE FINAL.

A shortened statutory period for response to this action is set to expire 2 months from the mailing date of this action.

Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings. The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c). A request for extension of time must be filed on or before the day on which a response to this action is due, and it must be accompanied by the petition fee set forth in 37 CFR 1.17(g). The mere filing of a request will not effect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

11. 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. 7,593,033 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.

12. 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 PO" 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).

13. All correspondence relating to this *ex parte* reexamination proceeding should be directed:

By EFS: registered users may submit via the electronic filing system EFS-Web, at https://efs.uspto.gov/efile/myportal/efs-registered

By Mail to: Mail Stop *Ex Parte* Reexam
Central Reexamination Unit
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By FAX to: (571) 273-9900
Central Reexamination Unit

By hand: Customer Service Window
Attn: Central Reexamination Unit
Randolph Building, Lobby Level
401 Dulany Street
Alexandria, VA 22314

For EFS-Web transmissions, 37 CFR 1.8(a)(1)(i) (C) and (ii) states that correspondence (except for a request for reexamination and a corrected or replacement request for reexamination) will be considered timely filed if (a) it is transmitted via the Office's electronic filing system in accordance with 37 CFR 1.6(a)(4), and (b) includes a certificate of transmission for each piece of correspondence stating the data of transmission, which is prior to the expiration of the set period of time in the Office action.

Any inquiry by the patent owner concerning this communication or earlier communications from the Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/Salman Ahmed/
Salman Ahmed
Primary Examiner
Central Reexamination Unit - Art Unit 3992
(571) 272-8307

Conferee:
/Ovidio Escalante/

/Daniel J Ryman/
Supervisory Patent Examiner, Art Unit 3992