

RESPONSE TO FIRST EXAMINATION REPORT

Patent Application no. 202011007623

Via e-filing

To,
The Controller of Patents,
The Patent Office,
New Delhi 110078

Kind Attention: Ms. Chetashri Parate, Contoller of Patents

Final Date: 02/12/2021

Re: Indian Patent Application No. 202011007623 filed on 24/02/2020

Deadline to file response to First Examination Report:

02/12/2021

Indian Patent Application No.	:	202011007623
Date of Filing	:	24/02/2020
Title	:	SHORT DISTANCE TELEMTRY SYSTEM FOR ELUCIDATION
Applicant	:	University of Petroleum and Energy Studies
<i>Date of FER</i>	:	02/06/2021

Respected Madam,

We act for University of Petroleum and Energy Studies, the Applicant for the above-mentioned application.

We refer to the First Examination Report ('FER') dated June 02, 2021. We have dealt with each objection raised and the observations made in the FER, hereinbelow.

At the outset, it is humbly submitted that the Applicant, to expedite the allowance of the patent application.

Invention:

The present invention discloses a short distance telemetry system for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe the data related to the object virtually.

RESPONSE TO THE EXAMINER'S OBJECTIONS

PART-II: DETAILED TECHNICAL REPORT

B. Detailed observations on the requirements under the Act:

(1) NOVELTY:

As regards to objection (1) Novelty of Part II (B) of the FER, the Ld. Controller has stated Claim(s) (1-10) lack(s) novelty, being anticipated in view of disclosure in the document cited above under reference for the following reasons:

Subject matter of claims 1-10 does not constitute an invention under section 2(1)(j) of the Patents Act, 1970 (as amended) because it is not novel in view of D1. Claim by claim analysis as below:- Reference mentioned in parentheses with respect to cited documents

1. Claim 1:-

D1 Discloses: A short distance telemetry system for elucidation comprising: a master unit comprising a storage unit to store data related to an object; at least one output unit and a first communication unit configured to communicate data to the user; and 10 a slave unit comprising a Radio-frequency identification (RFID) unit having a unique identification ID of the object and a second communication unit; wherein the master unit and the slave unit are communicably coupled and the slave unit is adapted to be on the object; and when the said object is in operation, the master unit is adapted to self configure to the slave unit on the object and acquire the identification ID to initiate a machine-user interface, wherein the output unit is configured to describe the data of the object based on communication between the master unit and the slave unit.(Whole Document).

Thus claim 1 is not novel over Disclosure of D1.

Similar objection regarding novelty also results going by the disclosure of D2 or D3(See cited Portion).

2. Claim 2-10

Dependent claims 2-10 do not appear to contain any additional features, in combination with the features of any claim to which they refer, meet the requirement with respect to novelty.

Features of claims 2-10 are implicitly disclosed in D1.

Our Submission

It is respectfully submitted herewith that the present invention of the instant application, in general, pertains to a method and system for creating a smart interactive session between one or more master units carried by the user and the one or more slave units positioned on the object in a laboratory or a museum for describing data related to the object virtually.

The objective technical problem addressed by the present invention is the drawback of the conventional systems and methods used for describing or detailing the objects in a laboratory or a museum by an instructor. Also, each laboratory or museum requires multiple instructors to explain or detail regarding the multiple objects, which would employ multiple users and economically difficult. Further, the system and method utilize a virtual assistant to replace the human assistance and provide more accurate and precise information compare to humans. However, the method and system for updating the data related to new instruments or objects, and establishing a continuous communication using IoT can be disconnected with the unavailability of internet.

To overcome said technical problem, the present invention discloses a method and system for implementing a short distance telemetry for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency

identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

In order to furnish the NOVELTY of the present invention w.r.t cited document D1, it is respectfully submitted herewith that:

D1 relates to an information providing system which sets a unique local ID for a specific object belonging to the specific place. The invention D1 addresses the situation of storing the master information inherent in the object in a database in relation with the local ID and the slave information to be information related to the specific object. The invention D1 proactively links the slave information with the master information concerned with the specific object based on the local ID of the object using an ID reading means of an information reader terminal.

In particular, D1 includes a browsing history storage function to be stored in the browsing history storage area of the database in a computer to elucidate the information of physical medium. Also, D1 utilizes the information based on the local ID and browsing time stored in the browsing history storage area of the database. Further, D1 discloses a means for realizing in a computer an ID assigning function for giving a local ID, which a unique identifier for identifying a specific object is belonging to a specific place, to the specific object in a readable manner from the outside. Thus, D1 depends on the browsing storage area of the database to link the slave information with the master information concerned with the specific object using the local ID of the object.

However, D1 does not disclose all the key/novel aspects disclosed in the claims (1-10) of the present invention.

The claims (1-10) of the present invention is directed to a method and system implementing a short distance telemetry for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

With reference to the claims (1-10), D1 does not disclose a method for storing data (audio files) related to an object in a storage area configured with one or more master units, wherein the data can be pre-stored or enhanced according to the up-gradation in the equipment or machine or instruments in museum or laboratory. Also, D1 does not disclose a method and system for positioning one or more slave units configured with RFID on the object to establish the communication between the slave unit and master unit coming closer to the object.

(2) INVENTIVE STEP:

As regards to objection (2) Inventive Step of Part II (B) of the FER, the Ld. Controller has stated Claim(s) (1-10) lack(s) inventive step, being obvious in view of teaching(s) of cited document(s) D1: JP2018026133A, D2: GB2474518A and D3: US20050001030A1 above under reference for the following reasons:

Claims 1-10 do not involve inventive step either, in the view of D1, D2, D3 alone or combined teaching of D1-D3.

Our Submission

With regards to the above objection, the Applicant humbly submits that the present invention includes inventive concept under section 2(1)(ja) of the Indian Patent Act, 1970 (amended in 2005), as the present invention involves technical advancement compared to the existing knowledge and has economic significance, thus making the invention not obvious to a person skilled in the art.

The present invention has technical advancement over the existing/conventional method for employing skilled persons to assist the users or visitors regarding the details corresponding to objects in a laboratory or a museum, which would be economical for employing multiple people to assist manually regarding the various objects. The present invention also has technical advancement over the existing/conventional method for utilizing a virtual instructor in place of a human assistance for providing more precise and accurate information, however the method of updating the virtual instructor with new instruments or machine data as well as museum objects is not feasible. The novel method and system implement a short distance telemetry system for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a

unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

Further, the present invention has economic significance since the device simplifies and advances the use of adapting the master unit to automatically configure with the slave unit positioned on the object by acquiring the ID of the object to initiate a machine-user interface. Also, the present invention is simplified by easily updating the change or modification in the object in a laboratory or museum to the storage unit in the master unit and establishing the communication between the master unit and the corresponding slave unit utilizing the local network.

In order to furnish the INVENTIVE STEP of the present invention w.r.t cited document D1, it is respectfully submitted herewith that:

D1 relates to an information providing system which sets a unique local ID for a specific object belonging to the specific place. The invention D1 addresses the situation of storing the master information inherent in the object in a database in relation with the local ID and the slave information to be information related to the specific object. The invention D1 proactively links the slave information with the master information concerned with the specific object based on the local ID of the object using an ID reading means of an information reader terminal.

In particular, D1 includes a browsing history storage function to be stored in the browsing history storage area of the database in a computer to elucidate the information of physical medium. Also, D1 utilizes the information based on the local

ID and browsing time stored in the browsing history storage area of the database. Further, D1 discloses a means for realizing in a computer an ID assigning function for giving a local ID, which a unique identifier for identifying a specific object is belonging to a specific place, to the specific object in a readable manner from the outside. Thus, D1 depends on the browsing storage area of the database to link the slave information with the master information concerned with the specific object using the local ID of the object.

However, D1 does not disclose all the key/novel aspects disclosed in the principal independent claim 1 of the present invention.

The principal independent claim 1 of the present invention is directed to a method and system implementing a short distance telemetry for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

With reference to principal independent claim 1 (as amended), D1 does not disclose a method for storing data (audio files) related to an object in a storage area

configured with one or more master units, wherein the data can be pre-stored or enhanced according to the up-gradation in the equipment or machine or instruments in museum or laboratory. Also, D1 does not disclose a method and system for positioning one or more slave units configured with RFID on the object to establish the communication between the slave unit and master unit coming closer to the object and adapting the master unit to update with changes or modification in the object and communicating the new or changed data related the object to the user.

Thus, the Applicant submits that taking into consideration D1, it would not be obvious to the person skilled in the art to arrive at the present invention and the constructional changes and/or changes in the system recited by the claims are not simple modifications of a known device and/or routine practice followed by the person skilled in the art. Therefore, claims 1-10 (as amended) do not come within the scope of obviousness, especially since the resulting advantages would not have been readily foreseeable to a person skilled in the art at the time of invention.

In order to furnish the INVENTIVE STEP of the present invention w.r.t cited document D2, it is respectfully submitted herewith that:

D2 relates to a method for identifying associated objects. The invention D2 addresses the situation of sensing one or more parameters or changes in one or more parameters associated with a first object using a sensor.

D2 technically deals with generating an identification signal utilizing an identification signal generator for identifying a first object, wherein the identification signal includes data indicating the identity of the first object and one or more parameters and/or the changes in one or more parameters associated with the first object sensed by the sensor. Subsequently, D2 is configured with a transmitter to transmit the identification signal, a first receiver arranged to receive the transmitted identification signal and a processor arranged to process the transmitted identification signal received by the receiver. Further, D2 is configured to determine a correlation of the data indicative of the one or more parameters and/or the changes in the one or more parameters associated with the first object as sensed by the sensor and transmitted in the identification signal with data indicating one or more parameters and/or

changes in the one or more parameters associated with one or more further objects and generates an indication of the associated objects based on the correlation of the data indicative of the parameters and/or the changes in parameters associated with the objects.

However, D2 does not disclose all the key/novel aspects disclosed in the principal independent claim 1 of the present invention.

The principal independent claim 1 of the present invention is directed to a method and system implementing a short distance telemetry for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

With reference to principal independent claim 1 (as amended), D2 does not disclose a method and system for positioning one or more slave units configured with RFID on the object to establish the communication between the slave unit and master unit coming closer to the object. Also, D2 does not disclose a method for adapting the master unit to update with changes in the object and automatically triggering the

device with master unit within vicinity of the object in a particular range and initiating the object to elucidate the information related to the particular object.

Thus, the Applicant submits that taking into consideration D2, it would not be obvious to the person skilled in the art to arrive at the present invention and the constructional changes and/or changes in the system recited by the claims are not simple modifications of a known device and/or routine practice followed by the person skilled in the art. Therefore, claims 1-10 (as amended) do not come within the scope of obviousness, especially since the resulting advantages would not have been readily foreseeable to a person skilled in the art at the time of invention.

In order to furnish the INVENTIVE STEP of the present invention w.r.t cited document D3, it is respectfully submitted herewith that:

D3 relates to a method and system for displaying information related to a user carrying an identification device. The invention D3 addresses the situation of sensing an identification code associated with one or more identification carrying devices.

D3 technically deals with utilizing a powerline modem to transmit the identification code and information display system identification information from information display system to an informational server. Subsequently, D3 is configured to receive the identification code and the information display system identification information at the information server. Further, D3 is configured to determine one or more portions of the information to be displayed on an information display system based on the identification code and the information display system identification information, and receiving via the powerline modem and conveying the one or more portions of information at the information display system.

However, D3 does not disclose all the key/novel aspects disclosed in the principal independent claim 1 of the present invention.

The principal independent claim 1 of the present invention is directed to a method and system implementing a short distance telemetry for elucidation. The method and system include one or more master units configured with one or more storage units

to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

With reference to principal independent claim 1 (as amended), D3 does not disclose a method for storing data (audio files) related to an object in a storage area configured with one or more master units, wherein the data can be pre-stored or enhanced according to the up-gradation in the equipment or machine or instruments in museum or laboratory. Also, D3 does not disclose a method and system for positioning one or more slave units configured with RFID on the object to establish the communication between the slave unit and master unit coming closer to the object and adapting the master unit to update with changes or modification in the object and communicating the new or changed data related the object to the user.

Thus, the Applicant submits that taking into consideration D3, it would not be obvious to the person skilled in the art to arrive at the present invention and the constructional changes and/or changes in the system recited by the claims are not simple modifications of a known device and/or routine practice followed by the person skilled in the art. Therefore, claims 1-10 (as amended) do not come within the

scope of obviousness, especially since the resulting advantages would not have been readily foreseeable to a person skilled in the art at the time of invention.

Thus, the subject matter of the claims 1-10 (as amended) are inventive and hence, claims 1-10 (as amended) are not obvious over the cited prior art thus satisfying the requirements for Inventive Step in accordance with section 2(1)(ja) of the Patents Act, 1970 (as amended).

In view of the above submissions, the Ld. Controller is humbly requested to withdraw the objection.

(3) NON-PATENTABILITY:

As regards objection (3) Non-Patentability of part II (B) of the FER, the Ld. Controller has stated as Claim(s) (1-10) are statutorily non-patentable under the provision of clause (k) of Section 3 for the following reasons:

Claims 1-10 seek protection for a 'computer implemented method' and as worded the method being claimed in claims 1-10 appears to be a mere algorithm implemented through software. In other words, the claimed method is a mere software application/product and hence not patentable u/s 3(K) of Patents Act, 1970.

Our Submission

In order to furnish PATENTABILITY of the present invention under Section 3(k) of Indian Patents Act 1970, the Applicant relies on Guidelines for Examination of Computer Related Inventions (CRIs) (2017), as provided by the Indian Patent Office. At the outset, the Applicant takes this opportunity to draw the Ld. Controller's attention to the facts related to the 'Determination of excluded subject matter relating to CRIs' (Page 15, Section 4.5 of the CRI Guidelines) as reproduced below:

“Since patents are granted to inventions, whether products or processes, in all fields of technology, it is important to ascertain from the nature of the claimed Computer-related invention whether it is of a technical nature involving technical advancement as compared to the existing knowledge or having

economic significance or both, and is not subject to exclusion under Section 3 of the Patents Act.

.....

What is important is to judge the substance of claims taking whole of the claim together. If any claim in any form such as method/process, apparatus/system/device, computer program product/ computer readable medium falls under the said excluded categories, such a claim would not be patentable. However, if in substance, the claim, taken as whole, does not fall in any of the excluded categories, the patent should not be denied. Hence, along with determining the merit of invention as envisaged under Sections 2(1) (j), (ja) and (ac), the examiner should also determine whether or not they are patentable inventions under Section 3 of the Act.”

Relying on the above, the Applicant humbly submits that the objective technical problem addressed by the present invention is that employing skilled persons to assist the users or visitors regarding the details corresponding to objects in a laboratory or a museum, which would be economical for employing multiple people to assist manually regarding the various objects. Subsequently, the method for utilizing a virtual instructor in place of a human assistance for providing more precise and accurate information is considered, however the method of updating the virtual instructor with new instruments or machine data as well as museum objects is not feasible. Further, the method of establishing communication between the objects and the user device using IoT is also introduced, however the data can be discontinuous in the absence of internet and a specific connection to the lab or museum can be interrupted. These approaches does not provide a virtual assistance in laboratories or museum in a reliable and efficient way by easily updating the new instruments or changes to the instruments.

To overcome said technical problem, the present invention discloses a method and system for implement a short distance telemetry system for elucidation. The method and system include one or more master units configured with one or more storage units to store data related to an object. The object can be, but need not be limited to, a machine or an instrument installed at a laboratory or a museum. Subsequently, the one or more master units include one or more output units and a first communication

unit to communicate data to a user. Further, the method and system include one or more slave units positioned on the object and provided with a radio frequency identification (RFID) unit with a unique identification (ID) for establishing a communication with one or more master units with each slave unit using a LORA (long range) network. Once, the user carrying a master unit comes within a predefined distance of the object in the laboratory or the museum, the master unit is adapted to automatically configure with the slave unit positioned on the object by acquiring the unique ID of the object to initiate a machine-user interface. Upon establishing the communication between the master unit and the corresponding slave unit, the output unit included in the master unit is configured to describe the data related to the object. Thus, the method and system provide a smart interactive session between the one or more master units handled by the user and the one or more slave units positioned on the object utilizing the LORA network to describe data related to the object virtually.

The Applicant takes this opportunity to draw the Ld. Controller's attention to the fact that the method claims already recite the hardware features, i.e., embedded components and devices, user device, a master unit, a storage unit, a slave unit, an RFID reader, an RFID tag, communication unit, a network, and a sensor to determine the range of the user carrying the master unit, output units/device. Said structural limitation has also been supplemented with a reference numeral in the claims to increase their intelligibility and readability.

The Applicant humbly submits that the claims of the present invention should be considered as a practical application of a computer process that represents one or more maser units configured with the storage units to store the information related to the object such as, instrument or machine in a laboratory or a museum. Subsequently, one or more slave units positioned on the object includes a unique RFID to establish a communication with one or more master units coming in vicinity of the object in a predetermined range, and describing the data related to the object to the user virtually. Therefore, the method and system according to the present invention provides an apparent technical contribution/technical advance presenting distinct advantages over the hitherto known techniques.

Further, the Applicant submits that the present invention has economic significance since it can simplify and advance the use of adapting the master unit to automatically configure with the slave unit positioned on the object by acquiring the ID of the object to initiate a machine-user interface. Also, the present invention is simplified by easily updating the change or modification in the object in a laboratory or museum to the storage unit in the master unit and establishing the communication between the master unit and the corresponding slave unit utilizing the local network.

In order to furnish PATENTABILITY of the present invention under Section 3(k) of Indian Patents Act 1970, the Applicant further relies on a High Court's recent decision.

The Applicant takes this opportunity to draw the Ld. Controller's attention to the criterion for assessing patentability under section 3(k) w.r.t technical effect/technical contribution in light of the Delhi High Court's recent decision in the case of Ferid Allani Vs. Union of India and Ors. The Delhi High Court has iterated that not all computer programs are hit by the bar under Section 3(k) of the Patents Act as when such programs demonstrate a 'technical effect' or a 'technical contribution', they are patentable. The High Court, while discussing on the issue of patentability of subject matter under section 3(k) stated the following key criteria. As stated,

“In today's digital world, when most inventions are based on computer programs, it would be retrograde to argue that all such inventions would not be patentable. Innovation in the field of artificial intelligence, blockchain technologies and other digital products would be based on computer programs, however the same would not become non-patentable inventions- simply for that reason. It is rare to see a product which is not based on a computer program. Whether they are cars and other automobiles, microwave ovens, washing machines, refrigerators, they all have some sort of computer programs in-built in them. Thus, the effect that such programs produce including in digital and electronic products is crucial in determining the test of patentability”

Also, the addition of the terms 'per se' in Section 3(k) was a conscious step and the Report of the Joint Committee on the Patents (Second Amendment) Bill, 1999

specifically records the reasons for the addition of this term in the final statute as under:

"In the new proposed clause (k) the words "per se" have been inserted. This change has been proposed because sometime the computer programme may include certain other things, ancillary thereto or developed thereon. The intention here is not to reject them for grant of patent if they are inventions. However, the computer programmes 'as such' are not intended to be granted patent. The amendment has been proposed to clarify the purpose." [Page 17, Section 4.5.4 of the CRI Guidelines]

Also, the claims 1-10 provides individual steps towards elucidation of short distance telemetry using master units carried by the user and slave units positioned on the object which are triggered to self-configure upon reaching the vicinity of the object. Therefore, the claims 1-10 are not to be interpreted as computer programs rather these are seven discrete modules organized to adapt the changes in the instruments or machine and automatically establish the communication between the user and machine.

Therefore, a claim to a processor-based system when programmed in a particular way ought to be deemed to be allowable. Moreover, owing to the presence of the hardware components, the subject matter of the claims cannot be considered to be mathematical or business methods or computer program per se or algorithms that fall within the purview of Section 3(k) of the Patents Act.

It is respectfully asserted that it would be clear to persons skilled in the art that the present invention provides a technical solution to technical problem(s) dodging the prior art and provides a technical contribution over the existing state of art technologies. It would appear clear to persons skilled in the art that a method and system classifying a dispute into specified categories based on the type of dispute and the scale of dispute and issuing a notice to a first party and a second party, where all parties submit their claim, reply to other parties claim, rejoinder to replies and rejoinder to rejoinders with a final offer or proposal for acceptance of the counter party for the closure/settlement of the dispute cannot be categorized as a computer process/program per se.

Accordingly, the subject matter of the method and system claims do not fall within the purview of Section 3(k) the Indian Patents Act.

Moreover, with regards to the above objection, the subject matter as claimed 1-10 of alleged invention not only seeks to configure the master unit and slave unit and initiate the system activities. The system is embedded with algorithms to be lucid with AVR architecture. AVR supports RISC (Reduced Instruction Set Computing) architecture whereas in the code algorithm there are certain sets of instructions that remove the error generated due to Person position concerning the equipment. E.g., If we consider the diametrical range around the machine is 150 cm within which the master module will trigger and give a description of the machine but in case if a person stands at a distance of 155 cm then there would be distortion in the short distance telemetry between user and equipment so to remove this error precision of $150 + 20$ is added in the coding algorithm which led telemetry between master and slave module to be lucid with AVR architecture. Further, the telemetry system is operating at the baud rate of 38400 i.e. it is communicating data at 38400 bits per second i.e. 26 μ S per bit. But to use less processing power of the AVR chips we have set sample speed to 300 samples per minute which allow feasible working our system. Master Unit = The Unit is termed as Master Unit as after receiving the signal from Unit (SLAVE) attach the equipment, it sends back acknowledgment signal to the unit (SLAVE) on the equipment. Thus, after confirmation i.e. (it has reached the vicinity of the equipment) by the master unit which led to the initiation of the audio description.

Therefore, the claims do not relate to mere algorithm implemented through software and do not fall under section 3(k) of the Indian Patents Act, 1970 (as amended).

In light of the above amendments and submission, the Ld. Controller is humbly requested to withdraw the objection.

(4) SUFFICIENCY OF DISCLOSURE: NOT APPLICABLE

(5) CLARITY AND CONCISENESS:

As regards objection (5) CLARITY AND CONCISENESS of part II (B) of the FER, the Ld. Controller has stated as follows:

(I) Claim(s) 1-10 are not clearly worded in respect of:

In absence of, reference numerals in the claims, subject matter of claims not seems to be clear u/r 13(4) and u/s 10(5) of The Patent Act. Hence comply with this requirement.

Our Submission

With regards to the objection (I), the Applicant hereby submits amended set of claims with reference numerals and clear and concise subject matter u/r 13(4) and u/s 10(5) of The Patent Act.

Thus, the subject matter of the claims (as amended) are allowable u/r 13(4) and u/s 10(5) of The Patents Act, 1970 (As amended) for being clear and succinct.

In light of the above amendments and submission, the Ld. Controller is humbly requested to withdraw the objection.

(6) DEFINITIVENESS:

As regards objection (6) DEFINITIVENESS of part II (B) of the FER, the Ld. Controller has stated as follows:

(I) Claim(s) 1 do not sufficiently define the invention for the reasons as follows:

- 1. The independent claims should be cast in the two- part form where appropriate, with those features known In combination from the prior art being placed in the preamble and the remaining features being included in the characterising part.*
- 2. All the essential and Novel/inventive features should be characterized in principal claim and the subsequent dependent claims should elaborate the features of principal claim after the phrase “as claimed in.....wherein”.*

Our Submission:

With regards to the objection (I), the Applicant hereby submits amended set of claims in the two-part form, with the features in combination part of prior art are placed in preamble and the novel and inventive features by using the word “characterized by”. Also, the Applicant hereby submits the essential and novel/inventive features characterized in principal claim and the subsequent dependent claims elaborate the features of principal claim after the phrase “as claimed in... wherein”.

In light of the above amendments and submission, the Ld. Controller is humbly requested to withdraw the objection.

(7) OTHER REQUIREMENTS:

As regards objection (7) OTHER REQUIREMENTS of part II (B) of the FER, the Ld. Controller has stated as follows:

1. List of all co-pending applications, if any, clearly stating their novel inventive features and clearly distinguishing their novel inventive features with that of the instant application shall be referred in the body of the complete specification.

2. If any amendment is necessitated in the complete specification then it is required to clearly identify (submission of marked copy) the amendments carried out and to indicate the portion (page no and line no) of the complete specification as filed on which these amendments are based on. Further the pages wherever amendments are carried out need to be freshly typed on white pages and to be filed in duplicate. Also, amendment should be within scope as mentioned in section 59 of the Patents Act, 1970 (as amended).

3. When filing amended claims both voluntary or otherwise, the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and of any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed as per the provisions U/S 59(1) of the Patent Act 1970(as amended).

4. Please note that this Examination is done on the basis of electronically uploaded documents in the emodule only. You may verify if all documents as filed are uploaded electronically, and bring to the notice of the concerned discrepancies if any.

Our Submission:

With regards to the objection (1), the Applicant hereby stated that there are no co-pending applications for the current invention.

With regards to the objection (2), the Applicant hereby clearly identifies the amendments and indicate the portion (page no. and line no) of the complete specification as filed on which amendments are based on. Further, the pages wherever amendments are carried out are freshly typed on white pages and filed in duplicate and all the amendments are within the scope as mentioned in section 59 of the Patents Act, 1970 (as amended).

With regards to the objection (3), the applicant hereby submits amended set of claims and amended description in conformity with the amended claims and made sure not to add any subject-matter which extend beyond the content of the application as originally filed as per the provisions U/S 59(1) of the Patent Act 1970 (as amended).

With regards to the objection (4), the applicant hereby states that all the documents as filed are uploaded electronically are verified and states that there are no discrepancies.

In light of the above amendments and submission, the Ld. Controller is humbly requested to withdraw the objection.

PART-III: FORMAL REQUIREMENTS

As regards to objections raised under part III of the FER, the Ld. Controller states as follows:

Objections	Our Submission
<p>Date and Signature of Applicant</p> <p><i>All the submitted documents and forms have been presumed as originally signed by authorized signatory under the provisions of patents Act,1970. if not, submit the originally signed copy of the same failing to which the document may not be considered filed.</i></p>	<p>The submitted documents have been duly signed by <i>authorized signatory</i> under the provisions of patents Act,1970.</p>
<p>Statement & Under Taking (Form 3 Details)</p> <p><i>Note: Details regarding application for patents which may be filed outside India from time to time for the same or substantially the same invention should be furnished within six months from the date of filing of the said application under section 8(1)(b) of the Patents Act, 1970 and under rule 12(2) of the Patents Rules, 2003</i></p>	<p>The Applicant humbly submits and undertakes that that they have not filed any foreign application corresponding to the instant patent application till date. Since, Form 3 was already filed on 26th February 2020 with indication of NO/NIL foreign filing declaration and subsequently till date there is no foreign filing, a sort of waiver is requested in the instant objection.</p>
<p>Power of Attorney (Whether GPA, SPA, Stamped, requisite fee etc.)</p> <p><i>Separate stamp duty should be paid along with GPA for instant application as an annexure , with application</i></p>	<p>The same has been complied with and the GPA as per the direction has been submitted vide e-filing module.</p>

<i>number of instant application mentioned on it.</i>	
Format of Specification (rule 13) <i>Reference numerals should be indicated in Abstract as per rule 13(7)(d) of patents act, as amended.</i>	The Applicant herewith submits amended set of abstract with reference numerals as per rule 13(7)(d) of patents act, as amended.
Other Deficiencies <i>Application number should be mentioned in all relevant forms at prescribed field.</i>	All relevant forms like Form 3, Form 5, Form 9 and Form 18 were already submitted with mention of application number. A sort of waiver is requested in instant objection.

In view of the above submissions, we request you to kindly accept this application and proceed to grant a patent. Also, please let us know if we are required to comply with any further requirements. However, before taking any adverse action, we humbly request the Controller of Patents to give the applicant an opportunity of being heard u/s 14 of the Indian Patents Act, 1970 via Video Conferencing.

We thank you in advance for your cooperation in this regard.

Yours faithfully,

Dated 17/07/2021



Vikas Asawat
Patent Agent INPA 1407
On Behalf of Applicant
Digitally Signed

Enclosure:

- Amended Claims- Marked Copy and Clean Copy
- Amended Abstract -Marked Copy and Clean Copy
- Amended Specification -Marked Copy and Clean Copy
- Updated Drawings