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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SILKY CHATHUKUTTY, CHAITHANYA HOLLA,
and JEETENDRA KUMAR MALLIREDDY

Appeal 2015-003507
Application 12/255,439
Technology Center 2400

Before DEBRA K. STEPHENS, KEVIN C. TROCK, and
JESSICA C. KAISER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

DECISION ON APPEAL

Introduction

Appellants¹ appeal under 35 U.S.C. § 134(a) from a final rejection of claims 1–4, 6–16, and 18, all of the pending claims.² We have jurisdiction under 35 U.S.C. § 6(b).³

We affirm.

¹ According to Appellants, the real party in interest is Honeywell International, Inc. (App. Br. 2).

² Claims 5 and 17 have been canceled. (App. Br. 14, 17).

³ We note that a January 26, 2015 “Communication Re: Appeal” purports to dismiss this appeal for failing to pay the appeal forwarding fee. However, we note that the appeal forwarding fee was timely paid on December 9, 2014, and thus, this appeal was properly docketed with the Board on February 12, 2015.

EXEMPLARY CLAIM

Claim 1, reproduced below, is illustrative of the claimed subject matter with disputed limitations emphasized:

1. A method for video surveillance in a system having a plurality of cameras and a plurality of operators viewing video from the plurality of cameras, comprising steps of:

creating a plurality of logical camera groups embodied on a touch screen display of a control device, each group comprising a list of at least one of the plurality of cameras and where the at least one camera of each group is shown as a respective pushbutton;

tracking a subject using a current camera; and

the control device changing from the current camera to a next camera in response to an operator of the plurality of operators of the system clicking on one of the respective pushbuttons of the plurality of logical groups;

the control device displaying a list associated with the next camera of operators of the plurality of operators available to receive handover; and

the operator handing over the tracked subject to another of the plurality of operators via selection of the other operator from the list associated with the next camera,

wherein the control device provides the list of cameras in the logical camera group on the touch screen display and the next camera is selected by the operator from the list and wherein the clicking displays the list of other operators of the plurality of operators on the touch screen display for hand over of the tracked subject.

REJECTION

The Examiner made the following rejection:

Claims 1–4, 6–16, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chin (US 7,777,783 B1; issued Aug. 17, 2010), Pinter (US 2006/0220796 A1; published Oct. 5, 2006), and Oya (US 6,208,379 B1; issued Mar. 27, 2001). (Final Act. 3–8).

ISSUES

Issue 1: Did the Examiner err in finding the combination of Chin, Pinter, and Oya teaches or suggests:

the control device displaying a list associated with the next camera of operators of the plurality of operators available to receive handover; and the operator handing over the tracked subject to another of the plurality of operators via selection of the other operator from the list associated with the next camera, wherein the control device provides the list of cameras in the logical camera group on the touch screen display and the next camera is selected by the operator from the list and wherein the clicking displays the list of other operators of the plurality of operators on the touch screen display for hand over of the tracked subject,

as recited in claim 1 and similarly recited in claims 7 and 13?

Issue 2: Did the Examiner improperly combine the teachings and suggestions of Chin, Pinter, and Oya?

ANALYSIS

We have reviewed the Examiner’s rejections in light of Appellants’ arguments that the Examiner has erred. We disagree with Appellants’ conclusions. We adopt as our own the findings and reasons set forth by the Examiner in the Final Action (Final Act. 3–8) from which this appeal is taken and the findings and reasons set forth in the Examiner’s Answer in

response to Appellants' Appeal Brief (Ans. 8–14). We highlight and address specific findings and arguments for emphasis as follows.

Issue 1

Appellants argue the Examiner erred in finding the combination of Chin, Pinter, and Oya teaches or suggests:

the control device displaying a list associated with the next camera of operators of the plurality of operators available to receive handover; and the operator handing over the tracked subject to another of the plurality of operators via selection of the other operator from the list associated with the next camera, wherein the control device provides the list of cameras in the logical camera group on the touch screen display and the next camera is selected by the operator from the list and wherein the clicking displays the list of other operators of the plurality of operators on the touch screen display for hand over of the tracked subject,

as recited in claim 1 and similarly recited in claims 7 and 13. (App. Br. 8; Reply Br. 2–5). Specifically, Appellants contend Chin “is merely directed to a method of tracking a target among a number of cameras” (App. Br. 8). Appellants further contend Pinter is “merely directed to sending video feeds to other operators when a first operator ends his/her shift, needs a break, etc.” (Reply Br. 4 (citing Pinter ¶¶ 20–21)) and is “provided for testing and enhancing the alertness of operators who monitor video surveillance systems” (App. Br. 8 (citing Pinter Abstract); Reply Br. 2). Appellants further contend Oya “merely discloses the display of access privileges of camera operators.” (App. Br. 8).

We are not persuaded because Appellants' contentions are not responsive to the Examiner's rejection over the combination of Chin, Pinter, and Oya. Appellants merely describe the alleged operation of the references

and then assert in a conclusory fashion that the references do not teach the disputed limitations. (*See* App. Br. 7; *see also* Reply Br. 2–5). Indeed, the Examiner has set forth with specificity the basis of the rejection over the combination of Chin, Pinter, and Oya. Accordingly, Appellants’ arguments are not sufficient to persuade us that the Examiner erred in finding the combination of Chin, Pinter, and Oya teaches or suggests the disputed limitations, as recited in claim 1 and similarly recited in claims 7 and 13.

Issue 2

Appellants argue the Examiner improperly combined Chin, Pinter, and Oya. (App. Br. 8–11; Reply Br. 6). Specifically, Appellants argue there is “no reason to combine the references” because “none of the cited references are directed to the problem solved by the claimed invention.” (App. Br. 11).

We are not persuaded because Appellants have not proffered sufficient evidence or argument to persuade us the Examiner’s reasoning is in error. Appellants’ arguments (*see* App. Br. 9–11; *see also* Reply Br. 6) do not address the Examiner’s rationale for combining Chin and Pinter—allowing more human operators to provide surveillance to increase “alertness, vigilance, and accuracy” and to prevent “financial damage as well as physical danger” (Ans. 8; Final Act. 4–5)—or the Examiner’s rationale for combining Chin, Pinter, and Oya—“improv[ing] user operability” and convenience (Ans. 9; Final Act. 5).

To the extent Appellants argue Chin, Pinter, and Oya are non-analogous art because “none of the cited references are directed to the problem solved by the claimed invention” (App. Br. 11), we agree with the

Examiner's finding that Appellants' claimed invention, Chin, Pinter, and Oya "are all in the same field of endeavor: video surveillance" (Ans. 14 (citing Chin 1:10–25; Pinter ¶ 8; Oya 1:5–9)). *Innovention Toys, LLC v. MGA Entm't, Inc.*, 637 F.3d 1314, 1321 (Fed. Cir. 2011) (stating that the scope of analogous art includes art "from the same field of endeavor, regardless of the problem addressed"). Appellants have not persuasively responded to this finding (*see* Reply Br. 5–6).

Accordingly, we are not persuaded the Examiner improperly combined the teachings of Chin, Pinter, and Oya.

Remaining Claims

Appellants do not argue separate patentability for dependent claims 2–4, 6, 8–12, 14–16, and 18, which depend directly or indirectly from claims 1, 7, and 13. (*See* App. Br. 8–11). For the reasons set forth above, therefore, we are not persuaded the Examiner erred in rejecting these claims. Accordingly, we sustain the Examiner's rejections of claims 2–4, 6, 8–12, 14–16, and 18. *See* 37 C.F.R. § 41.37(c)(1)(iv).

DECISION

The Examiner's rejection of claims 1–4, 6–16, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chin, Pinter, and Oya is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED