

In re Patent Application of
GARCEAU ET AL.
Serial No. **11/328,678**
Filed: **JANUARY 10, 2006**

REMARKS

Applicants thank the Examiner for the careful and thorough examination of the present application, and for correctly withdrawing the previous rejections of the claims.

Applicants have enclosed herewith a Terminal Disclaimer to obviate the obviousness-type double patenting rejection of the claims.

Applicants have amended independent Claims 1 and 15 to incorporate the subject matter of former dependent Claims 2 and 16, respectively, now canceled. Applicants have amended dependent Claims 3 and 17 for consistency and dependent Claims 4, 8, 10-14 to address minor informalities unrelated to the statutory requirements for patentability.

Applicants submit that all claims are patentable, and present arguments and amendments herein supporting such patentability.

I. The Claimed Invention

Amended independent Claim 1 is directed to an environmental condition detecting system to detect at least one environmental condition associated with a collected geospatial image from a geospatial image sensor carried by an airborne platform. Claim 1 has been amended to recite the at least one environmental condition comprises at least one weather condition. The environmental condition detecting system comprises a database, and an image processor operable with the database to generate a reference geospatial image corresponding to the collected geospatial image. The environmental condition detecting system further includes a

change detector operable with the image processor to detect a change between the collected geospatial image and the reference geospatial image, and an environmental condition detector operable with the change detector to detect the environmental condition associated with the collected geospatial image based upon the change between the collected geospatial image and the reference geospatial image.

Independent Claim 10 is directed to a weather condition detecting system similar to Claim 1. Amended independent Claim 15 is a method counterpart to Claim 1, and has been amended similarly.

II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 10, and 15 over Oldroyd in view of Stossel et al. Oldroyd discloses a system for automatic image registration that includes a sensor collecting imagery from a mobile platform. The sensor also collects sensing parameters, e.g. field of view, resolution, and azimuth, and platform parameters.¹ The system also includes a reference database for storing reference images. The system extracts a "chip" from the reference images to compare to the corresponding collected image. The chip is warped or distorted to conform to the known geometry of the collected image, the distortion mimicking the perspective of the sensor in the collected image.²

The Examiner correctly notes that Oldroyd fails to disclose detecting the at least one environmental condition

¹ (Paragraph 48).

² (Paragraphs 37-38).

associated with the collected geospatial image based upon the change between the collected geospatial image and the reference geospatial image, as recited by independent Claim 1, for example. The Examiner looks to Stossel et al. to supply this deficiency of Oldroyd.

Stossel et al. discloses a change detection system that compares a collected image with a synthetic image generated from a model database. The system detects changes in vegetation, i.e. whether trees have been removed in the collected image.³

Applicants have amended independent Claims 1 and 15 to recite the environmental condition detector operable with said change detector to detect the at least one environmental condition, and the at least one environmental condition comprising a weather condition. Applicants submit that Stossel et al. fails to disclose or fairly suggest this claim feature. Although the system of Stossel et al. detects changes in vegetation, which may be affected by a weather condition change, the detected changes are not themselves weather conditions.

Accordingly, it is submitted that amended independent Claims 1 and 15 are patentable over the prior art. Independent Claim 10 is similar to these claims and is patentable for similar rationale. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

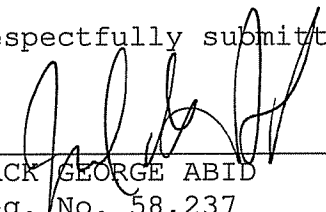
³ (§§ 2.2-2.3).

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CONCLUSIONS

In view of the arguments and claim amendments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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