

YAMAKAWA International Patent Office

Shuwa-Tameike Bldg. 4-2, Nagatacho 2, Chiyodaku,
Tokyo 100-0014 Japan

Tokyo, June 14, 2004

Iviewit Holdings, Inc.
10158 Stonehenge Circle, Suite 801
Boynton Beach, FL 33437-3546
U.S.A.

Attention: Mr. Eliot Bernstein
President

Re: Japanese Patent Application No. 2001-502362
based on International Appln. No. PCT/US00/15405
in the name of Iviewit Holdings, Inc.
Your File No. *** ; Our File 14902-B

Dear Mr. Bernstein:

Enclosed please find a copy and an English translation of the Notice of the Reasons for Refusal received, together with a copy each of following Citations 1 and 2. The due date for response is August 18, 2004.

1. International Publication Number WO 99/23834
of May 14, 1999
2. Patent Application Laid-open No. Hei 11-112870
of April 23, 1999

Also enclosed are a copy of EP 0 951 184 A1 corresponding to Citation 1 which is in the Japanese language and a copy of the Patent Abstracts of Japan of Citation 2 accompanied by our supplement.

The reason for refusal given in the current Office Action is that the inventions recited in Claims 1 to 3 were readily conceivable based on the citations.

We find, however, that the present invention is characterized, as described in the English specification, page 19, line 25 to page 20, line 16, in that video data is encoded in a frame half the full size of the screen as that data is captured whereas the cited inventions we do not think are with such a characteristic. If the current Office Action is to be countered, therefore, the claims

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should perhaps be amended as reflected in our Proposed Claim Amendment (June 14, 2004) enclosed by incorporating the said characteristic which seems to be the sole difference from the citations we can find. Please, examine.

Further, we note in the specification that the preferred embodiment explained is with the use of such existing application programs as Adobe Premier and Realencoder G2, which may have made the examiner feel that the present invention was readily conceivable based on known techniques. Thence, if we are to continue to pursue the present case, we deem it required to clarify through an Argument that the present invention provides a prominent effect which a prior art device was not anticipated by those skilled in the art to provide. Please, inform us of such a prominent effect provided by the present invention on account of the abovementioned characteristic.

Kindly let us have approximately by coming August 10 your instructions as to how we should proceed in this case in response to the current Office Action.

Very truly yours,

YAMAKAWA INTERNATIONAL PATENT OFFICE



Masaki Yamakawa

Encl.
MY/gmy

- TRANSLATION -

Attny's Docket
14902-B

PTO's Mailing Number: 172282
PTO's Mailing Date: May 18, 2004

NOTICE OF THE REASON FOR REFUSAL

Patent Application Number : 2001-502362
Date considered by the Examiner : May 11, 2004
Patent Office Examiner : Sunao Hasegawa
Attorney for the applicant : Masaki Yamakawa
Being rejected under Patent Law Art. 29, Para. 2

The application identified above is refused for the reason noted below. Any argument in opposition should be filed within three months from the mailing date of this Notice.

REASON

The invention described in claims of this application can not be granted a patent because, in accordance with Article 29, Paragraph 2, it had been possible for a person of ordinary knowledge in the technological field to which the invention belongs to have invented such an invention with ease on the basis of the invention made known in Japan or in the foreign country in the publication(s) below prior to the present application.

REMARKS

Regarding Claims 1 to 3:

Citations 1 and 2 listed at the end of this Notice are referred to.

Citation 1 discloses encoding video data to be in the MPEG type.

Converting a video frame size is within the realm of what is suitably achievable by one having ordinary skill in the art.

Citation 1 discloses, for example, reducing a size vertically and horizontally into one half, i.e., "into ... less than full screen frame size" (Refer, for instance, to Claim 6 in [EP 0 951 184 A1 corresponding to] Citation 1).

It is both known techniques to convert and not to convert a

frame rate when encoding, and it is a self-evident task for those versed in the art to make the frame rate close to that of video data prior to its encoding (so as to best avoid making the frame rate decremental).

It is a common technique to input and output video data in the form of files. (Citation 2 describes, for example, in section [0025] of the specification, recording and reading DV-formated video data as files.

The techniques of treating files and encoding by utilizing software (a program) are known.

Citations:

1. International Publication Number WO 99/23834 (1999)
2. Patent Application Laid-open No. Hei 11-112870

- TRANSLATION -

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14902-B

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2. Patent Application Laid-open No. Hei 11-112870

整理番号: 発送番号:172282 発送日:平成16年 5月18日



拒絶理由通知書

特許出願の番号	特願2001-502362
起案日	平成16年 5月11日
特許庁審査官	長谷川 素直 2948 5P00
特許出願人代理人	山川 政樹 様
適用条文	第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から3か月以内に意見書を提出して下さい。

理 由

(I) この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

- ・請求項1-3に対して、引用文献1-2

備 考

引用文献1には、ビデオデータをMPEG形式にエンコードすることが開示されている。

ビデオのサイズの変更は、当業者が適宜成し得る範囲内の事項である。

例えば、引用文献1には、サイズを縦横それぞれ半分にする、即ち小さいサイズにすることも示されている。(例えば、請求項6を参照されたし。)

エンコードの際にフレームレートを変更することも、フレームレートを変更しないようにすることも、何れも周知技術であるし、また、フレームレートをエンコード以前のビデオデータのフレームレートに近いものとする(即ち、できるだけフレームレートを落とさないようにする)ことは、当業者に自明な課題である。

ビデオデータを、ファイルとして入出力することは、普通の技術である。(例えば、引用文献2 [0025] 段落には、DVフォーマットのビデオデータをファイルと

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して記録・読み出し等することが示されている。

ファイルの取扱、エンコード等をソフトウェア(プログラム)で行う技術は、周知である。

引用文献等一覧

1. 国際公開第99/23834号パンフレット(1999)
2. 特開平11-112870号公報

先行技術文献調査結果の記録

調査した分野 IPC第7版 H04N7/24-7/68

この先行技術文献調査結果の記録は、拒絶理由を構成するものではありません。

この拒絶理由通知の内容に関するお問い合わせがございましたら、下記までご連絡下さい。

特許審査第四部 テレビジョン 担当：長谷川

TEL. 03(3581)1101 内線 3581