REMARKS

Reconsideration is respectfully requested in view of the forgoing amendments and the following remarks.

1. Status of the claims

Claims 1-33 are the subject of this reexamination. In this paper, claims independent claims 1, 11, and 22 are pending and are being amended to recite the subject matter of former dependent claims. In particular, claim 1 is amended to recite the subject matter of former dependent claims 6 and 9, and to delete superfluous, non-substantive language; claim 11 is amended to recite the subject matter of former dependent claims 15 and 20; and claim 22 is amended to recite the subject matter of former dependent claim 28. Former claims 6, 9, 15, 20, and 28 are cancelled. The dependencies of claims 7, 10, 16, 21, and 29 are amended to reflect the cancellation of claims 6, 9, 15, 20, and 28. All other claims (2-5, 8, 12-14, 17-19, 23-27, and 30-33) remain pending in their respective original forms.

Support for the amendments to claim 1 are found in original claims 6 and 9 and at 3:29-41 and 3:44-51 of the specification. Support for the amendments to claim 11 are found in original claims 15 and 20 and at 3:44-51 of the specification. Support for the amendments to claim 22 are found in original claim 28 and at 3:29-41 and 3:44-51 of the specification. No new matter is added by way of these amendments. Further, the scope of the claims is not being enlarged because the forgoing amendments add limitations, for example, concerning the nature of a search query, to the independent claims and do not remove any substantive limitations therefrom.

2. Statement regarding concurrent proceedings

U.S. Patent 7,446,803 is not presently at issue in any litigation, nor is it the subject of any concurrent proceedings in the USPTO.

3. Patentability of the claims

Independent claims 1, 11, and 22 were rejected as being obvious under 35 U.S.C. 103 in view of the teachings of Grandin, Lassiter, and Kauffman.

Claim 1 has been amended to recite the subject matter of former claims 6 and 9. In particular, claim 1, as amended, recites, among other things, a server arranged to save data annotation in SQL readable form, receive an SQL search string corresponding to the data annotation to be searched, and search for the data annotation based on the SQL search string. The Office Action admits that the combination of Grandin, Lassiter, and Kauffman does not teach or suggest such features, see Office Action at p. 77 et seq., but cites the teachings of Brown. According to the Office Action, a person of ordinary skill in the art would have found it obvious to "incorporate the server of the system being arranged to save the data annotations in SQL readable form as described by Brown to the system and method of Grandin, Lassiter, and Kauffman." Further, the Office Action alleges the person of ordinary skill in the art would have found it obvious to "incorporate a server being arranged to receive an SQL search string corresponding to the data annotation based on the SQL search string as described by Brown to the system and method of Grandin, Lassiter, Kauffman and Brown."

Brown, WO 01/13637, describes a digital video management system that includes a video server and a data server. According to Brown, "the video server is responsible for streaming and recording video from [ ] camera streamers. The data server is responsible for storing the configuration and operational data needed for operation of Avalon. All data is stored within a Microsoft SQL server 7.0 database." Brown at p. 28, ll. 2-5 ("Avalon is apparently the trade name of the system described by Brown. See p. 26, ll. 19-21). Importantly, while data is stored in a Microsoft SQL server database, that database is searched using Microsoft ActiveX objects, not SQL queries. Brown at p. 57, ll. 2-3 ("The business objects access the Video Server Database via the ActiveX Data Objects (ADO)."). Accordingly, a person of ordinary skill in the art considering the combined teachings of Grandin, Lassiter, Kauffman and Brown would employ queries using Microsoft ActiveX data objects and not SQL search strings.

Inasmuch as independent claims 1, 11, and 22 recite the use of SQL search stings/SQL/SQL search criteria, these claims are not obvious in view of the combined teachings of Grandin, Lassiter, Kauffman and Brown, which instead suggest the use of Microsoft ActiveX data objects. *Alza Corp. v. Mylan Labs., Inc.*, 464 F.3d 1286, 1289 (Fed. Cir. 2006) (recognizing that the focus in an obviousness inquiry must be whether the subject matter of the claims as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art) (citations omitted). Further, as all the remaining claims depend from one of

claims 1, 11, and 22, each of those claims is likewise patentable over Grandin, Lassiter, Kauffman and Brown. *See Hartness Int'l. Inc. v. Simplimatic Engineering Co.*, 819 F.2d 1100 (Fed. Cir. 1987) (a claim that depends from a nonobvious independent claim is nonobvious because it contains all the limitations of that independent claim plus a further limitation).

If there are any additional fees due in connection with this communication, please charge Deposit Account No. 50-5798.

Respectfully submitted,
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Dated: May 15, 2025

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