

*Compliant*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Thomas Aquinas

Application No.: 12/345,678

Filed: April 2, 2010

For: Systems and Methods for  
Calculating and Offsetting Personal  
Carbon Generation

Examiner: Hard Azziz

Group Art Unit: 2349

Attorney Docket No.: 10188

Confirmation No.: 1234

**AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Azziz,

This Amendment is in response to the Office Action mailed June 9, 2010. This Amendment is timely because it is being submitted within the shortened statutory period for reply which expires July 9, 2010. Please enter and consider the following:

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**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS**

1. (Currently Amended)            A method for transmitting and storing data representing a weight measurement, said method including:
  - measuring the weight of household waste weight, wherein said measurement is performed by a weight scale measurement device containing a data transmitting device;
  - converting said weight of household waste measurement to data representing said weight measurement;
  - transmitting said data representing said weight from said weight scale measuring device to a computing device through a first communication system, wherein said computing device is in communication with a remote data storage device containing a communication device, wherein said computing device communicates with said remote data storage device through a second communication system;

transmitting said data representing said weight from said weight scale  
~~measuring device~~ from said computing device to said remote data storage device  
through said second communication system; and  
storing said data representing said weight from said measurement device  
on said remote data storage device.

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clear*

2. (Cancelled)
3. (Currently Amended)      The method of claim 1 wherein said household  
waste weight measurement represents the weight of household refuse generated  
through placing said household refuse into a garbage receptacle.
4. (Original)      The method of claim 1 wherein said weight measurements are  
measured on a periodic basis.
5. (Original)      The method of claim 1 wherein said data representing said weight  
measurement is transmitted through said first communication system to said  
computing device on a periodic basis.
6. (Original)      The method of claim 1 wherein said first communication system is  
a Bluetooth network.
7. (Original)      The method of claim 1 wherein said second communication system  
includes a wired or wireless computer network.
8. (Currently Amended)      A system for transmitting and storing data  
representing weight measurements, said system including:

a weight measurement device, wherein said weight measurement device measures the weight of object placed thereupon, wherein said weight measurement device converts said weight measured to data representing said weight measurement, wherein said weight measurement device also includes a data transmitting device that transmits said data through a first communication network;

a computing device, wherein said computing device receives said data representing said weight measurement through said first communication network, wherein said computing device includes a data receiving device and a data transmitting device that receives and transmits said data representing said weight measurement through a second communication network; and

a remote data storage device, wherein said remote data storage device includes a data receiving device and a data transmitting device that receives and transmits said data representing said weight measurement through said second communication network.

9. (Currently Amended)           The system of claim 8 wherein said weight measurement device is a scale that measures said weight representing that represents the amount of household refuse generated through placing said household refuse into a garbage receptacle.

10. (Original) The system of claim 8 wherein said first communication network is a Bluetooth network.
11. (Original) The system of claim 8 wherein said second communication network includes a wired or wireless computer network.
12. (Original) The system of claim 8 wherein said scale measures said weight on a periodic basis.
13. (Original) The system of claim 8 wherein said scale transmits said data representing said weight measurements to said computing device through said first network on a periodic basis
14. (Currently Amended) A system for monitoring data representing fuel consumption generated through travel in an automotive vehicle, said system including;

a handheld data generating computing device for generating data representing the distance travelled by said automotive vehicle, wherein said handheld data generating computing device includes a vehicular travel tracking application which measures the distance traveled through said travel in said automotive vehicle, a data transmitting device for transmitting said data representing the distance travelled by said automotive vehicle upon completion of the vehicular travel on a communication network;

a remote data storage device for receiving, storing, and transmitting said data representing said distance traveled by said automotive vehicle through said

communication network, wherein said remote data storage device stores said data representing said distance traveled by said automotive vehicle, wherein said remote data storage device transmits said data representing said distance traveled by said automotive vehicle; and

a user account, wherein said user account communicates with said remote data storage device, wherein said user account receives said data representing said distance travelled by said automotive vehicle through said communication network, wherein said user account displays said data representing said distance travelled by said automotive vehicle through said communication network on a computing device.

15. (Original) The system of claim 14 wherein said data generating device operates by manually inputting the actual gallons of gasoline consumed through said vehicular travel into said remote storage device.
16. (Original) The system of claim 14 wherein said data generating device operates by manually inputting the make and model of the vehicle, as well as the numbers of miles driven through said vehicular travel into said remote storage device.
17. (Original) The system of claim 14 wherein said data generating device is a cellular telephone, wherein said cellular telephone contains Global Positioning Software.

18. (Original) The system of claim 14 wherein said data generating device transmits said data representing said distance traveled by said automotive vehicle automatically to said remote data storage device upon completion of said automotive travel.

19. (Currently Amended) A method for removing carbon from the atmosphere, said method including:

receiving individual usage carbon output data representing a measurement taken by a monitoring device and performing a carbon output calculation to determine the amount of carbon being put into the atmosphere on a computer;

receiving carbon offset cost data on said computer, wherein said carbon output cost data represents a cost per ton of a first remediation activity;

displaying said carbon offset cost data on said computer, wherein said carbon offset cost data is displayed on an internet website, wherein said carbon offset cost data is selected by a user for purchase;

selecting said remediation activity on said computer, wherein said selecting of said remediation activity occurs on said internet website,

displaying a purchase price of said remediation activity on said computer, wherein said purchase price of said remediation activity is based on said carbon output data quantifying the amount of carbon generated by data representing a measurement taken by a monitoring device; and

purchasing said carbon offset service on said computer, wherein said purchasing offsets the user's household carbon output.

20. (Original) The method of claim 19 wherein said remediation activity includes carbon remediation, carbon sequestering, carbon credits, and a combination thereof.
21. (Original) The method of claim 19 wherein said carbon offsetting automatically determines said remediation activity from a list of products based on said total amount of said carbon generated provided by said carbon output data and purchases said remediation activity.
22. (Currently Amended) The method of claim 19 wherein said remediation activity service is may be automatically purchased by a computing device based on user-inputtable criteria.
23. (Original) The method of claim 19 wherein said monitoring device includes a weight scale, a household energy usage monitoring device, and a vehicular travel monitoring device.



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**REMARKS**

The present application includes claims 1-23. Claims 1-23 were rejected by the Examiner. By this Amendment, claim 2 has been canceled, and claims 1, 3, 8, 9, 14, 19, and 22 have been amended.

Claims 1-7 were rejected under 35 U.S.C. §112, paragraph 2, as being indefinite.

Claims 19-23 were rejected under 35 U.S.C. 101 as being non-statutory subject matter.

Claims 1-18 were rejected under 35 U.S.C. §102(b) as being anticipated by Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020.

Claims 1-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Paloheimo, U.S. Pat. App. Pub. No. 2010/0077020, in view of the CarbonFund website at <http://www.carbonfund.org/Calculators>.

Claims 19-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Browne, U.S. Pat. App. Pub. No. 2010/0042514, in view of Constantz, U.S. Pat. App. Pub. No. 2010/0063902.

The Applicant now turns to the rejection of claims 1-7 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. As amended, claim 1 recites “measuring the weight of household waste,” which particularly points out and distinctly claims the subject matter. Consequently, claim 1 is

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respectfully submitted to be free of indefiniteness. Additionally, claims 2-7 depend from claim 1 and thus include all of the limitations of claim 1. Consequently, claims 2-7 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 19-23 under 35 U.S.C. § 101 as being directed to non-statutory subject matter for failing to confine method steps to a particular machine or transformation. As amended, claim 19 recites the steps of the method claim and explicitly states that the steps are being performed on a computer. Consequently claim 19 is respectfully submitted to be free of non-statutory subject matter. Additionally, claims 20-23 depend from claim 19 and thus include all of the limitations of claim 19. Consequently, claims 20-23 are also respectfully submitted to be allowable.

The Applicant now turns to the rejection of claims 1-18 under 35 U.S.C. § 102(b) as being anticipated by Paloheimo. Paloheimo teaches a system for determining vehicular emissions. As shown in Figure 2, the system includes a carbon calculator. This carbon calculator performs tasks including measuring the distance travelled by an individual, determining the type of travel, and calculating emissions based on this travel. Figure 2 also shows a location information service that the carbon calculator is in communication with to determine the type of travel that the user is undertaking.

Paloheimo does not teach the measuring and transmission of data representing household waste using a weight scale . Furthermore, Paloheimo does not teach using an application installed on a handheld data generating computing device that measures the distance travelled. Paloheimo also does not teach the transmission of this data representing the distance travelled by an automotive vehicle to a remote data storage device for the purposes of calculating a carbon output using this measurement. Consequently, Paloheimo does not teach the use of an application installed on a handheld data generating computing device to measure the distance travelled by automotive vehicle, followed by the transmission of this data representing the measurement to a remote storage device for the purposes of calculating a carbon output value.

As amended, claims 1 and 8 recite a method and system for transmitting and storing data representing the weight of household waste. As mentioned above, Paloheimo does not teach the transmission and storage of data relating to household waste, but rather Paloheimo teaches a system for determining emissions of a vehicle. Consequently, claims 1 and 8 are respectfully submitted to be free of Paloheimo and allowable. Additionally, claims 3-7, and 9-13 depend from claims 1 and 8, respectively, and thus include all the limitations of claims 1 and 8, respectively. Consequently, claims 3-7, and 9-13 are also respectfully submitted to be allowable.

As amended, claim 14 recites a handheld data generating computing device that contains an application for the purposes of measuring vehicular distance travelled. Upon the calculation of the distance traveled, claim 14 recites that this data is transmitted to a

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remote data storage device. As mentioned above, Paloheimo teaches the use of a carbon generator to measure the distance traveled by vehicle, and then generate emission values of this vehicular travel. Paloheimo does not teach the use of an application on a handheld data generating computing device to measure the distance travelled through automobile, nor does it teach the transmission of the data to a remote data storage device.

Consequently, claim 14 is respectfully submitted to be free of Paloheimo and allowable. Additionally, claims 15-18 depend from claim 14, and thus include all limitations of claim 14. Consequently, claims 15-18 are respectively submitted to be allowable.

The Applicant now turns to the rejection of claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over Paloheimo in further view of the CarbonFund website at <http://www.carbonfund.org/Calculators>. As mentioned above, Paloheimo teaches a system for calculating the emissions of a vehicle using a carbon generator device. This carbon generator measures the distance travelled through a vehicle then calculates the emissions created.

The CarbonFund website teaches a system for an individual to select activities to offset, including home, car, flight, and train or bus. The CarbonFund website allows the user to input values for the amount of electricity, natural gas, and heating oil consumed in the home, and allows an individual to enter the year, make, model, and specifications of their vehicle to determine the amount of carbon generated.

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As previously discussed, Paloheimo does not teach the measuring of weight of household waste, nor does it teach the installation of an application on a handheld data generating computing device used to track travel distance, nor does it teach the transmission of this data measurement to a remote storage device, where the data is converted to a carbon output. Additionally, The CarbonFund website does not teach the measuring of weight of household waste or the storage of this data. The CarbonFund website also does not teach the installation of an application onto a handheld data generating computing device used to track vehicular travel distance.

Consequently, neither Paloheimo nor the CarbonFund website teaches the measuring of waste using a weight scale, as recited in claims 1-13, or the installation of an application onto a handheld data generating computing device used to track travel distance, as recited in claims 14-18. Thus, unlike KSR, where two previously known claim elements were combined, here we have new claim elements, the measurement of household waste using a weight scale and the installation of a vehicular travel distance tracking application onto a handheld data generating computing device. Thus, the TSM test fails to support a finding of obviousness. Consequently, Independent claims 1, 8, and 14, and respective dependent claims 3-7, 9-13, and 15-18 are respectively submitted to be allowable.

The Applicant now turns to the rejection of claims 19-23 under 35 U.S.C. § 103(a) as being unpatentable over Browne in further view of Constantz. Browne teaches

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a method for verifiable transaction involving an environmental resource product.

Constantz teaches a method and system of generating and trading a carbon commodity that is related to a quantified amount of carbon sequestering product. Constantz also teaches the trading or purchasing of sequestering services.

Neither Browne nor Constantz teach the interaction between monitoring devices and the purchase of services used to remove carbon from the environment. Rather, both teach the process of purchasing services.

As amended, claim 19 teaches a method for removing carbon from the atmosphere, which includes a computer receiving individual usage data representing measurements taken by monitoring devices. As seen in claim 19, the purpose of removing carbon from the atmosphere is to cancel out the amount of carbon put into the atmosphere by the user, which is monitored with the monitoring devices. Browne and Constantz merely teach a method to provide an individual with the opportunity to purchase carbon removal services. Consequently, independent claim 19 and dependent claims 20-23 are respectfully submitted to be free of Browne and Constantz, and thus allowable.

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**CONCLUSION**

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of Pat, Ent, & Win, Account No. 10-0000.

Respectfully submitted,



Date: April 16, 2010

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