REMARKS

After the foregoing Amendment, Claims 1, 3 – 6 and 8 – 31 are currently pending in this application. Claims 2, 7 and 32 have been canceled without prejudice. Claims 1, 3 – 4, 8, 18 – 19 and 27 - 30 have been amended.

Claim Objections

Claim 12 was objected to due to informalities. In view of the foregoing Amendment, withdrawal of the objection is respectfully requested.

Claim Rejections - 35 USC § 112

Claims 1, 3, 4, 18 – 19, 27, 28 – 30 and 32 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In view of the foregoing Amendment, withdrawal of the § 112 rejection is respectfully requested.

Claim Rejections - 35 USC § 101

Claim 32 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In view of the foregoing Amendment, withdrawal of the § 101 rejection is respectfully requested.

Claim Rejections - 35 USC § 102

Claims 1 – 32 were rejected under 35 U.S.C. § 102(a) as being anticipated by Zruya et al. (US 8,111,289).

Zruya discloses pixel processing whereby each pixel is mathematically processed and the location of each pixel of the current photo is compared with a threshold value that is dynamically calculated (Col. 9, line 62 – col. 10, line 54 and col. 11, lines 1 – 63). Further, the pixel processing detects either moving objects or static objects. In addition, the pixel processing involves the use of error photos with each pixel representing an error value. The error value can be compared to a threshold level during detection of objects in photos.

Zruya relies on a technique involving error analysis in the detection of objects. However, Zruya does not disclose estimating one or more threshold values for optimal FOD edge extraction for different environmental conditions, and generating a pixel level edge map using a statistical method based on progressively learned background image edge map to determine a grayscale lookup table (LUT) to be used to generate pixel level threshold map. The use of edge maps is a different imaging processing technique from that used by Zruya. The specific use of edge maps as claimed in amended claim 1 helps to achieve high accuracy in the detection of objects.

Zurya fails to disclose, teach or suggest "the image processing system adaptively estimates one or more threshold values for optimal FOD edge extraction for different environmental conditions; and generates a pixel level edge map using a statistical method based on progressively learned background image edge map to determine a grayscale lookup table (LUT) to be used to generate pixel level threshold map" as recited in currently amended claim 1.

Claim 1 is patentable over the references of record. Claims 3 – 6 and 8 – 31 depend from claim 1 and are patentable for at least the same reasons.

Withdrawal of the § 102(a) rejection is respectfully requested.

Conclusion

If the Examiner believes that any additional matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1, 3 – 6 and 8 – 31, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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