



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/067,100	02/25/2005	Adam Harris	SCEA-04002	4576
15827	7590	02/04/2013	EXAMINER	
Lewis and Roca I.L.P - Sony 2440 W. El Camino Real, 6th Floor Mountain View, CA 94040			CHAMBERS, TANGELA T	
			ART UNIT	PAPER NUMBER
			2645	
			NOTIFICATION DATE	DELIVERY MODE
			02/04/2013	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdockets@lrlaw.com  
sce\_a\_patent\_docket@Playstation.Sony.com  
cspringer@lrlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

*Ex parte* ADAM HARRIS and WILLIAM McCARROLL

---

Appeal 2010-006886  
Application 11/067,100  
Technology Center 2600

---

Before MAHSHID D. SAADAT, JUSTIN BUSCH, and HUNG H. BUI,  
*Administrative Patent Judges.*

BUI, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellants<sup>1</sup> seek our review under 35 U.S.C. § 134(a) of the Examiner's final rejections of claims 62-83. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.<sup>2</sup>

---

<sup>1</sup> Real Party in Interest is Sony Computer Entertainment America Inc.

<sup>2</sup> Our decision refers to Appellants' Appeal Brief filed July 9, 2009 ("App. Br."); Reply Brief filed December 21, 2009 ("Reply Br."); Examiner's Answer mailed October 19, 2009; and the original Specification filed February 25, 2005 ("Spec.").

## I. STATEMENT OF THE CASE

### *Appellants' Invention*

Appellants' invention relates to computer networks and, more particularly, to computer networks in which devices communicate in an ad hoc fashion to exchange data. *Spec.* 1:5-7.

### *Claims on Appeal*

Claims 62, 73, and 83 are independent. Claim 62 is representative of the invention, as reproduced below with disputed limitations emphasized:

62. A method for network communications, the method comprising:

communicating with an originating device during an originating session and receiving originating data from the originating device over a communication link;

*validating the originating data to ensure that the originating data is valid;*

*authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails; and*

communicating with a receiving device during a receiving session and sending the originating data to the receiving device over a wireless communication link, wherein the originating session and the receiving session occur at different times, and at least one of the sessions is an ad hoc communication session.

*Evidence Considered*

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Huang	U.S. 2005/0036616 A1	Feb. 17, 2005
Bedi	U.S. 2005/0182937 A1	Aug. 18, 2005
McMillin	U.S. 7,027,773 B1	Apr. 11, 2006

*Examiner's Rejections*

(1) Claims 62, 65-68, 73, 76-81, and 83 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Bedi. Ans. 3-7.

(2) Claims 63, 64, 69, 70, 74, 75, and 82 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bedi and Huang. Ans. 8-12.

(3) Claims 71 and 72 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bedi and McMillin. Ans. 12-13.

II. ISSUE

Based on Appellants' arguments, the dispositive issue on appeal is whether the Examiner has erred in rejecting claims 62, 65-68, 73, 76-81, and 83 under 35 U.S.C. § 102(e) by finding that Bedi discloses "validating the originating data to ensure that the originating data is valid" and "authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails," as recited in independent claim 62, and similarly recited in independent claims 73 and 83. App. Br. 5-7; Reply Br. 2-6.

### III. ANALYSIS

We have reviewed the Examiner's rejections in light of Appellants' arguments that the Examiner has erred.

We disagree with Appellants' conclusions as to all rejections. We adopt as our own (1) the findings and reasons set forth by the Examiner in the action from which this appeal is taken and (2) the reasons set forth by the Examiner in the Examiner's Answer in response to Appellants' Appeal Brief. We also concur with the conclusions reached by the Examiner, and further highlight and address specific findings and arguments for emphasis as follows.

#### ***§ 102(e) Rejection of Claims 62, 65-68, 73, 76-81, and 83***

Appellants contend that Bedi does not disclose "validating the originating data to ensure that the originating data is valid" and "authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails," as recited in independent claim 62, and similarly recited in independent claims 73 and 83. App. Br. 5-7; Reply Br. 2-6. In particular, Appellants make several arguments against Bedi as follows:

(1) "[t]he login process in Bedi merely identifies the availability of a sender or recipient and is silent about whether the person logging in is 'a trusted provider of valid data'" (Reply Br. 2);

(2) "[t]he mere process of logging into a service, alone, does not necessarily ensure that a user will only provide valid data... the login process in Bedi is not equivalent to the claimed validation of data" (Reply Br. 3);

(3) validating a list of recipients is not equivalent to validating the originating data (Reply Br. 4); and

(4) “[a]n authenticated secure connection is not equivalent to an authenticated originating device”, and as such, Bedi does not teach the step of “authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails” (Reply. Br. 6)

However, we are not persuaded by Appellants’ arguments. At the outset, we note that claim terms, such as, for example, an “originating device,” a “receiving device,” an “intermediate device,” and “originating data,” are to be given their broadest reasonable interpretation. *See In re Bigio*, 381 F.3d 1320, 1324 (Fed. Cir. 2004) (quoting *In re Hyatt*, 211 F.3d 1367, 1372 (Fed. Cir. 2000)). Moreover, limitations appearing in the specification but not recited in the claim are not read into the claim. *E-Pass Techs., Inc. v. 3Com Corp.*, 343 F.3d 1364, 1369 (Fed. Cir. 2003) (claims must be interpreted “in view of the specification” without importing limitations from the specification into the claims unnecessarily.)

As correctly found by the Examiner, FIG. 4A of Bedi shows a communication network where a sending device 12 is using proxy devices 16, 20 to engage in an initial login process and then perform authentication, via key exchange servers 22, 24, in order to establish an authenticated secure connection between a sending device 12 and a receiving device 14. Ans. 3-5.

FIG. 4A of Bedi is reproduced below.

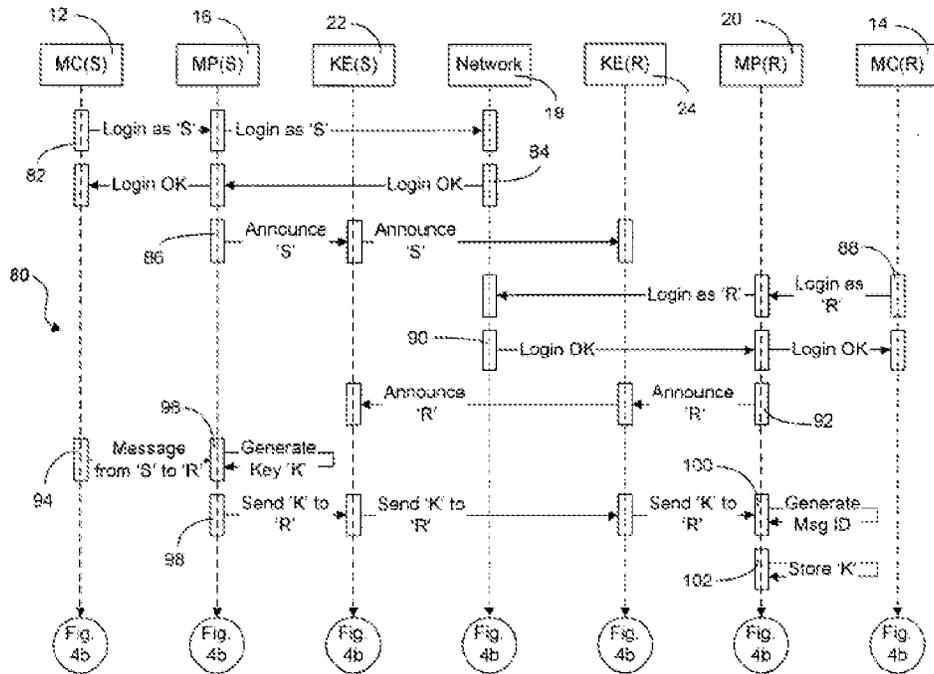


FIG. 4A shows a sequence diagram of a process for sending and receiving encrypted messages when the sending device 12 and the receiving device 14 have message proxies 16, 20.

Based on FIG. 4A, we agree with the Examiner’s findings that: (1) the sending device 12 of Bedi corresponds to Appellants’ claimed “originating device”; (2) the receiving device 14 of Bedi corresponds to Appellants’ claimed “receiving device”; and (3) the proxy device 16 of Bedi corresponds to Appellants’ claimed “intermediate device.” Ans. 3-5. We also agree with the Examiner’s findings that, contrary to Appellants’ contentions (see Reply Br. 2-6), the login process and authentication of Bedi correspond to Appellants’ claimed “validating the originating data to ensure that the originating data is valid” and “authenticating the originating device to ensure that the originating device is an authorized data source, wherein an

intermediate communication device will not further communicate the originating data if validation or authentication fails” as recited in independent claim 62, and similarly recited in independent claims 73 and 83. Ans. 15-17. This is because Appellants’ claims 62, 73, and 83 do not preclude log-in data as part of the recited “originating data.” In other words, Appellants’ claimed “originating data” can include log-in data (i.e., password data) sent from the sending device 12, shown in FIG. 4A of Bedi. Thus, when the log-in data (i.e., originating data) is transmitted from the sending device 12 and received at the proxy device 16, the log-in data (i.e., originating data) is validated at the proxy device 16 to ensure that the log-in data (i.e., originating data) is valid, in the same manner as recited in Appellants’ claims 62, 73, and 83. Once the log-in process is complete, authentication is performed to ensure that the sending device 12 is an authorized data source in the same manner as recited in Appellants’ claims 62, 73, and 83. We agree with the Examiner that, if authentication fails in Bedi, the message cannot be encrypted and therefore the originating data will not be communicated by an intermediate device. Ans. 17.

For the reasons set forth above, Appellants have not persuaded us of error in the Examiner’s rejection of independent claims 62, 73, and 83. Accordingly, we sustain the Examiner’s rejection of claims 62, 65-68, 73, 76-81, and 83 under 35 U.S.C. § 102(e) as being anticipated by Bedi.

***§ 103(a) Rejections of Claims 63, 64, 69, 70, 74, 75, and 82  
over Bedi and Huang & Claims 71 and 72 over Bedi and McMillin***

Appellants contend that, since Bedi fails to disclose “validating the originating data to ensure that the originating data is valid” and

“authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails,” neither Huang nor McMillin can cure deficiencies of Bedi to arrive at Appellants’ claims 63, 63, 70, 71, 72, 74, 75, and 82.

For reasons discussed *supra*, we agree with the Examiner that Bedi discloses the disputed limitations “validating the originating data to ensure that the originating data is valid” and “authenticating the originating device to ensure that the originating device is an authorized data source, wherein an intermediate communication device will not further communicate the originating data if validation or authentication fails.” As such, we sustain the Examiner’s rejection of claims 63, 64, 69, 70, 74, 75, and 82 under 35 U.S.C. § 103(a) as being unpatentable over Bedi and Huang, and separately, the Examiner’s rejection of claims 71 and 72 under 35 U.S.C. § 103(a) as being unpatentable over Bedi and McMillin.

## V. CONCLUSION

On the record before us, we conclude that the Examiner has not erred in rejecting claims 62-83 under 35 U.S.C. § 102(e) and § 103(a).

## VI. DECISION

As such, we affirm the Examiner’s final rejections of claims 62-83.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv) (2011).

AFFIRMED

Appeal 2010-006886  
Application 11/067,100

ke