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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* BRUCE MONTAG

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Appeal 2010-007145  
Application 11/458,138  
Technology Center 2600

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Before SCOTT R. BOALICK, JOHN A. JEFFERY, and  
JEREMY J. CURCURI, *Administrative Patent Judges*.

JEFFERY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1-20. We have jurisdiction under 35 U.S.C. § 6(b). We affirm.

STATEMENT OF THE CASE

Appellant's invention (1) communicates user display presentation parameter input from a local display input device to an information handling system; (2) adjusts visual information presentation parameters; and (3)

communicates visual information with the adjusted parameters from the information handling system to the display for presentation. *See generally* Spec. 3-4; Fig. 1. Claim 10 is illustrative:

10. A method for managing user inputs to an information handling system display, the method comprising:  
detecting a user display presentation parameter input to a local display input device;  
communicating the user display presentation parameter input from the display to the information handling system;  
applying the user display presentation parameter input to adjust visual information presentation parameters;  
communicating visual information having the adjusted display presentation parameters from the information handling system to the display;  
and  
presenting the visual information at the display with the adjusted display presentation parameters.

#### THE REJECTIONS

1. The Examiner rejected claims 1-6 and 8 under 35 U.S.C. § 103(a) as unpatentable over Arai (US 6,549,970 B2; Apr. 15, 2003), Hwang (US 2005/0285847 A1; Dec. 29, 2005), and Sean Shek (US 2005/0171906 A1; Aug. 4, 2005). Ans. 3-6.<sup>1</sup>

2. The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as unpatentable over Arai, Hwang, Sean Shek, and Sasaki (US 2004/0064603 A1; Apr. 1, 2004). Ans. 7.

3. The Examiner rejected claim 9 under 35 U.S.C. § 103(a) as unpatentable over Arai, Hwang, Sean Shek, and Jeon (US 2003/0234820 A1; Dec. 25, 2003). Ans. 7-8.

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<sup>1</sup> Throughout this opinion, we refer to (1) the Appeal Brief filed November 9, 2009 (“App. Br.”); (2) the Examiner’s Answer mailed February 4, 2010 (“Ans.”); and (3) the Reply Brief filed March 25, 2010 (“Reply Br.”).

4. The Examiner rejected claims 10, 11, 13, 15, and 17 under 35 U.S.C. § 103(a) as unpatentable over Hwang and Sean Shek. Ans. 8-11.

5. The Examiner rejected claims 12 and 18-20 under 35 U.S.C. § 103(a) as unpatentable over Hwang, Sean Shek, and Jeon. Ans. 11-12, 14-15.<sup>2</sup>

6. The Examiner rejected claim 14 under 35 U.S.C. § 103(a) as unpatentable over Hwang, Sean Shek, and Arai. Ans. 12-13.

7. The Examiner rejected claim 16 under 35 U.S.C. § 103(a) as unpatentable over Hwang, Sean Shek, and Sasaki. Ans. 13-14.

#### THE OBVIOUSNESS REJECTION OVER HWANG AND SEAN SHEK

The Examiner finds that Hwang discloses every recited feature of representative claim 10 except for (1) applying user display presentation parameter input to adjust visual information presentation parameters; (2) communicating visual information having the adjusted display presentation parameters from the information handling system to the display; and (3) presenting the visual information at the display with the adjusted parameters. Ans. 8-9, 16. The Examiner, however, cites Sean Shek as teaching this feature in concluding that the claim would have been obvious. Ans. 9, 16, 18.

Appellant argues that the cited prior art does not teach or suggest the recited communicating and presenting steps since Hwang's auto adjustment is performed at the display controller, not the graphics controller, and Sean

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<sup>2</sup> Although the Examiner separately rejects claims 12 and 18-20 over Hwang, Sean Shek, and Jeon (*compare* Ans. 11-12 *with* Ans. 14-15), we nonetheless consolidate those rejections here for clarity and brevity.

Shek merely allows users to edit images to change the images themselves—not the display that presents those images. App. Br. 4-5; Reply Br. 1-3.

### ISSUE

Under § 103, has the Examiner erred in rejecting claim 10 by finding that Hwang and Sean Shek collectively would have taught or suggested (1) communicating visual information having adjusted display presentation parameters from the information handling system to the display; and (2) presenting the visual information at the display with the adjusted parameters?

### ANALYSIS

#### *Claims 10, 11, 13, and 15*

We begin by noting that the Examiner apparently maps the recited (1) “local display input device” to Hwang’s display apparatus 30a in Figure 2, and (2) “information handling system” to Hwang’s computer 10a with graphics controller 13a. *See* Ans. 9 (referring to Hwang ¶¶ 0049-51 which references Figure 2); Ans. 16. When a user selects auto adjustment via the display apparatus 30a’s “auto adjustment selecting portion” 35a (e.g., a button on the display apparatus), the display apparatus sends an event signal to the computer which, in turn, sends (1) a predetermined video signal, and (2) a first control signal back to the display apparatus to execute auto adjustment. Hwang, ¶¶ 0049-52, 0058-62; Figs. 2-3 (steps S12-S15).

Based on this functionality, we agree with the Examiner that Hwang’s “information handling system” (computer) receives a “user display presentation parameter input” from the display based on the first event

signal. Although this received input is arguably “applied” at the computer at least with respect to selecting appropriate video and control signals to send to the display apparatus, the actual display adjustment occurs at the display apparatus—not the computer. *See id.*

The Examiner alludes to Hwang’s adjusting the computer’s video signal parameters by noting that Hwang’s “visual information (*video signal*) ha[s] *display presentation parameters* (such as brightness) *adjusted* (auto adjustment) according to inputs made at a display . . . .” Ans. 16 (bolding omitted; our emphasis added). To be sure, Hwang’s video signals include picture information regarding brightness and color which allows the display apparatus to analyze associated characteristics for auto adjustment. Hwang ¶ 0053. But as noted above, Hwang’s auto adjustment occurs at the display apparatus—not the computer. So to the extent that the Examiner equates adjusting the video signal’s associated display presentation parameters via this auto adjustment, these *adjusted* display presentation parameters are not communicated *from* the information handling system *to* the display as claim 10 requires. Although Hwang’s computer sends video signals with display presentation parameters to the display device, these parameters are adjusted *after* this transmission—a post-transmission adjustment that the Examiner apparently acknowledges. *See* Ans. 16 (referring to an “*auto adjusted* video signal” (emphasis added)).

Nevertheless, the Examiner cites Sean Shek to cure this deficiency. Sean Shek’s vending machine allows users to display and edit selected images including adjusting brightness or contrast, adding borders, etc. Sean Shek ¶ 0018. According to the Examiner, this allows users to (1) adjust an image’s *display parameters* (e.g., brightness or contrast) using buttons on

the display, and (2) present visual information at the display with those adjusted parameters. Ans. 16, 18.

We see no error in this reasoning, for nothing in the claim precludes “display presentation parameters” from being those associated with image data which directly affect the image’s presentation on a display, such as brightness or contrast. Although Appellant emphasizes the difference between changing a *picture*’s brightness and contrast versus that of a *display* (App. Br. 4-5; Reply Br. 1-2), Appellant identifies no definition of the term “display presentation parameters” in the Specification that precludes the Examiner’s interpretation. As such, providing Sean Shek’s image display parameter adjustment application, communication, and presentation functions in conjunction with Hwang merely predictably uses prior art elements according to their established functions—an obvious improvement. *See KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 417 (2007). That Hwang uses *picture data* 16a stored in the computer’s hard disk in connection with auto adjustment as Appellant acknowledges (Reply Br. 2) only bolsters the Examiner’s position in this regard. Although *auto* adjustment occurs at Hwang’s display apparatus based partly on the picture data, nothing in the claim precludes *additional* image display parameter adjustments at the computer in view of Sean Shek. As such, Hwang does not teach away from the Examiner’s proposed combination as Appellant asserts (Reply Br. 3), but rather, adding Sean Shek’s image adjustment technique to Hwang’s computer predictably enhances Hwang’s display-based auto-adjustment capabilities via these additional computer-based adjustments.

We are therefore not persuaded that the Examiner erred in rejecting representative claim 10, and claims 11, 13, and 15 not separately argued with particularity.

*Claim 17*

Although Appellant nominally argues the Examiner's rejection of claim 17 separately (App. Br. 5-6), Appellant reiterates arguments similar to those for claim 10 which we find to be unpersuasive for the reasons noted previously.

THE REJECTIONS OF CLAIMS 12, 14, 16, AND 18-20

Because we find Appellant's arguments regarding independent claims 10 and 17 unpersuasive as noted above, we likewise are unpersuaded of error in the rejections of dependent claims 12, 14, 16, and 18-20 (Ans. 11-15) which were not separately argued.

THE OBVIOUSNESS REJECTION OVER ARAI, HWANG, AND SEAN SHEK

For the reasons noted above and by the Examiner, we are unpersuaded of error in the Examiner's reliance on Hwang and Sean Shek for teaching the recited display input manager associated with a graphics subsystem in concluding that claim 1 would have been obvious over the cited prior art's collective teachings. Ans. 3-4, 20. Appellant's arguments regarding Hwang and Sean Shek (App. Br. 6) are unavailing for the reasons noted previously.

We are therefore not persuaded that the Examiner erred in rejecting independent claim 1, and claims 2-6 and 8 not separately argued with particularity.

THE REJECTIONS OF CLAIMS 7 AND 9

Since we find Appellant's arguments regarding independent claim 1 unpersuasive as noted above, we likewise are unpersuaded of error in the rejections of dependent claims 7 and 9 (Ans. 7-8) which were not separately argued.

CONCLUSION

The Examiner did not err in rejecting claims 1-20 under § 103.

ORDER

The Examiner's decision rejecting claims 1-20 is affirmed.

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).

AFFIRMED

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