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11/257,731	10/25/2005	Travis Brown	RF-295 (50620)	2333
74701	7590	02/28/2013	EXAMINER	
ADDMG - Harris 255 S ORANGE AVENUE SUITE 1401 ORLANDO, FL 32801			PATEL, KAUSHIKKUMAR M	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte TRAVIS BROWN, DAVID MARCH, and
LLOYD PALUM

Appeal 2010-008704
Application 11/257,731
Technology Center 2100

Before: KALYAN K. DESHPANDE, JASON V. MORGAN, and
MICHAEL J. STRAUSS, *Administrative Patent Judges*.

PER CURIUM

DECISION ON APPEAL

STATEMENT OF CASE

Appellants appeal under 35 U.S.C. § 134(a) from a rejection of claims 1, 3-8, 10-18, 20-23, and 25-27. Claims 2, 9, 19, and 24 have been cancelled. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

The claims are directed to a mobile wireless communications device providing data management and security features and related methods. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A mobile wireless communications device comprising:
 - a wireless transceiver;
 - a series of processing modules;
 - a shared memory connected to said processing modules and to said wireless transceiver;
 - a memory manager module for generating data location indices for data stored in said shared memory;
 - said processing modules cooperating with said shared memory and said memory manager module so that an upstream processing module stores given data in said shared memory and so that a downstream processing module receives the data location index for the stored given data and processes the stored given data based thereon; and
 - a security module for selectively purging data from said shared memory based upon a change in an encryption level of the data.

REFERENCES

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

Reed	US 5,652,885	Jul. 29, 1997
Galluscio	US 7,152,231 B1	Dec. 19, 2006

Applicants' Admitted Prior Art (AAPA)

REJECTION¹

The Examiner rejected claims 1, 3-8, 10-18, 20-23, and 25-27 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (APA), Reed, and Galluscio. Ans. 3.

APPELLANTS' CONTENTION²

“[T]he Examiner mischaracterized . . . Appellants' own specification” in finding that Applicant's Admitted Prior Art (AAPA) “discloses a security module for selectively purging data from the shared memory based upon a change in an encryption level of the data.” App. Br. 10.

ISSUE

Whether the combination of AAPA, Reed and Galluscio teaches or suggests the disputed claim limitation rendering the claims obvious under 35 U.S.C. 103(a).

ANALYSIS

Appellants contend that:

[T]he Examiner mischaracterized the cited portions of Appellants' own Specification. The Examiner contended that the alleged AAPA somehow discloses a security module for selectively purging data from the shared memory based upon a change in an encryption level of the data. The Examiner referred to page 7, paragraph 0022, to support this contention. Paragraph 0022 is in the Detailed Description of the Preferred

¹ Based on the dependencies of the claims and the dispositive issue, we decide the appeal of the rejection of claims 1, 3-8, 10-18, 20-23, and 25-27 on the basis of claim 1.

² We note that Appellants' arguments present additional issues; however, we do not reach these issues, as this contention is dispositive of the appeal.

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Embodiments portion of the Specification and describes preferred embodiments of the present invention

App. Br. 10 (emphasis in original).

We agree with Appellants' argument. We do not find the Examiner's response at pages 7-9 of the Answer to be persuasive otherwise.

Accordingly, we will not sustain the rejection of claim 1 and, for the same reason, the rejection of dependent claims 3-8, 10-18, 20-23, and 25-27.

CONCLUSION

Appellants have persuaded us of error in the Examiner's decision to reject independent claim 1 and, for the same reasons, claims 3-8, 10-18, 20-23, and 25-27. Thus, we will not sustain the Examiner's rejection of claims 1, 3-8, 10-18, 20-23, and 25-27 under 35 U.S.C. § 103(a).

DECISION

The decision of the Examiner to reject claims 1, 3-8, 10-18, 20-23, and 25-27 is reversed.

REVERSED

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