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

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte GLENN DOUGLAS MCPHERSON, THIAN JOO TAN, and STEPHEN TERRILL

Appeal 2010-009533
Application 10/332,716
Technology Center 2400

Before, DAVID M. KOHUT, JOHNNY A. KUMAR, and JOHN G. NEW, *Administrative Patent Judges*.

KOHUT, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) of the Final Rejection of claims 1, 3, 5, 7, 8, 11, 12, and 15-17.[1] We have jurisdiction under 35 U.S.C. § 6(b).

We affirm the Examiner's rejection of these claims.

INVENTION

The invention is directed to a method and wireless internet access node that filters header information prior to sending information to a mobile device in order to increase throughput. Spec. 2-3. Claim 1 is representative of the invention and is reproduced below:

> 1. A wireless mobile access interface node for filtering message header information, the mobile access interface node comprising:
> a message filter having means for:
> determining the message header information that is supported by a user agent embodied in a wireless mobile device;
> removing selected header information from messages between the wireless mobile device and a destination, wherein the selected header information comprises information not supported by said user agent; and
> storing removed header information wherein the messages are SIP messages; and
> the message filter having means for adding the stored header information to subsequent messages received from the wireless mobile device.

REFERENCES

Donohue	US 6,484,197 B1	Nov. 19, 2002
Orton	US 6,678,735 B1	Jan. 13, 2004 (filed Jan. 26, 2000)

[1] Claims 2, 4, 6, 9, 10, 13, and 14 were previously cancelled.

REJECTION AT ISSUE

Claims 1, 3, 5, 7, 8, 11, 12, and 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Orton and Donohue. Ans. 3-8.

ISSUE

Did the Examiner err in finding that the combination of Orton and Donohue teaches or suggests removing selected header information wherein the selected header information comprises information not supported by said user agent and adding the stored header information to subsequent messages, as required by independent claims 1 and 5?[2]

ANALYSIS

Appellants argue that neither Orton nor Donohue teaches or suggests a message filter that removes selected header information that comprises information not supported by a user agent and adding the header information to subsequent messages, as required by claims 1 and 5. App. Br. 6-7. Appellants contend that Donohue's token is never removed from the header and is, therefore, not the same as Appellants' invention. App. Br. 7. However, the Examiner cites to Donohue to show that it was known in the art to have a header that remains the same with an incoming and outgoing message. Ans. 12-13. Thus, the Examiner finds that it would have been obvious to one of ordinary skill in the art to combine Donohue's teaching with Orton's removal and storage of a header destined for the wireless device and adding of a header to messages received from the wireless device. Ans. 4, 13. We agree with the Examiner's finding as this is nothing

[2] Appellants select claims 1 and 5 as representative of the group comprising claims 1, 3, 5, 7, 8, 11, 12, and 15-17. App. Br. 7.

more than a combination of familiar elements according to known methods that yield predictable results. *See KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007).

For the reasons stated *supra*, we sustain the Examiner's rejection of claims 1, 3, 5, 7, 8, 11, 12, and 15-17 under 35 U.S.C. § 103(a).

CONCLUSION

The Examiner did not err in finding that the combination of Orton and Donohue teaches or suggests removing selected header information wherein the selected header information comprises information not supported by said user agent and adding the stored header information to subsequent messages, as required by independent claims 1 and 5.

SUMMARY

The Examiner's decision to reject claims 1, 3, 5, 7, 8, 11, 12, and 15-17 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)(iv).

AFFIRMED

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