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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* CHUL-WOO KIM

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Appeal 2011-006234  
Application 11/583,397  
Technology Center 2600

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Before JOSEPH L. DIXON, ST. JOHN COURTENAY III, and  
CARLA M. KRIVAK, *Administrative Patent Judges*.

DIXON, *Administrative Patent Judge*.

DECISION ON APPEAL

## STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134(a) from a rejection of claims 8, 9, 13, and 14. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

## INVENTION

The claims are directed to connecting to a peripheral Bluetooth device from a mobile terminal. Claim 8, reproduced below, is illustrative of the claimed subject matter:

8. A method of automatically connecting to a peripheral Bluetooth device and service in a mobile communication terminal having a Bluetooth module, comprising the steps of:

determining, upon input of a key, whether the key includes a Bluetooth mode key;

transitioning to a Bluetooth mode if the key is the Bluetooth mode key;

detecting a Bluetooth device or service corresponding to the key as a short key;

connecting to the Bluetooth device or service; and

displaying a short input error message or generating an error alarm if the Bluetooth device or service corresponding to the short key is not detected,

wherein the inputted key sequentially includes the Bluetooth mode key and the short key.

## REFERENCES

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

Dervarics	US 6,553,240 B1	Apr. 22, 2003
Jeoung	US Pat. Pub. 2001/0003097 A1	June 7, 2001
Asai	US Pat. Pub. 2005/0257052 A1	Nov. 17, 2005 (filed Apr. 18, 2005)

## REJECTION

Claims 8, 9, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Asai, Jeoung, and Dervarics.

## ANALYSIS

Regarding independent claim 8, Appellant contends that “*Asai* teaches that the Bluetooth mode must first be activated, and then a connection command must be entered, and then a selection of a device must be made. Thus, *Asai* requires at least 3 input commands from a user.” (App. Br. 8). Further, Appellant contends that “*Jeoung* discloses short keys. However, even if the short keys of *Jeoung* were combined with the Bluetooth mode of *Asai*, at least 3 short keys would be required.” (*Id.*). In contrast, Appellant contends, “only 2 key entries are required by independent Claim 8 to connect to a device.” (*Id.*). Additionally, Appellant contends that “*Jeoung* teaches short keys, but none of those short keys correspond to either a Bluetooth device or service. Thus, the short keys of *Jeoung* cannot be

equated with a Bluetooth device or service corresponding to a short key as recited in independent Claim 8.” (*Id.*)<sup>1</sup> We disagree.

We begin by construing the phrase “input of a key” in claim 8. As recited in claim 8, “the inputted key sequentially includes the Bluetooth mode key and the short key.” We look to the Specification to shed light on the meaning of the terms “Bluetooth mode key” and “short key” in order to determine the meaning of the “inputted key.” The Specification describes that a “keypad 210 is provided with digit keys 0 to 9 and function keys including Menu, Cancel (Clear), OK, Talk, End, . . .” and that the “keypad 210 provides key input data corresponding to a pressed key to the [microprocessor unit] MPU 200.” (Spec. 6:14-17). Further, a “touch pad may [be] use[d] as an input means. In this case the touch pad includes a plurality of touch elements for inputting characters, numerals and directional function. Here, each touching element is corresponding to each key of the keypad.” (Spec. 6:19-22). The Specification then describes, with reference to Figures 4, 5A, and 5B, invoking Bluetooth service with respect to a particular external device as follows:

If a key is entered, the MPU 200 determines whether the key includes a Bluetooth mode key in step 403. For example, for the input of “#1”, the MPU 200 recognizes the Bluetooth mode key “#”, as illustrated in FIG. 5A.

. . .

In the presence of the Bluetooth mode key, the MPU 200 transitions to the Bluetooth mode in step 405 and detects a peripheral Bluetooth device or service corresponding to the entered short key in the Bluetooth short key table in step 407. . .

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<sup>1</sup> Neither Appellant’s Appeal Brief nor Reply Brief contain page numbers. Our numbering for citation purposes begins on the pages titled “Appellant’s Brief on Appeal” and “Appellant’s Reply Brief,” respectively.

In step 409, the MPU 200 connects to the peripheral Bluetooth device or service, as illustrated in FIG. 5B. Then the MPU 200 ends the process.

(Spec. 8:5-22). In light of the above description, we conclude the scope of the claimed “Bluetooth mode key” and “short key” broadly encompasses physical keys—either push buttons or touch pad elements—that, when activated by a user in sequence, cause the mobile communication terminal to recognize that the user commands the terminal to enter Bluetooth mode, and that the user wishes to connect to the particular Bluetooth device indicated by the particular “short key” activated. Thus, the claimed “inputted key” is not itself a physical key, but refers to the result of the user having activated the “Bluetooth mode key” and “short key” in sequence.

With this construction, we agree with the Examiner and find that the combination of Asai, Jeoung, and Dervarics discloses the claimed “input of a key . . . wherein the inputted key sequentially includes the Bluetooth mode key and the short key,” as recited in claim 8. Specifically, Appellant’s argument that the Examiner’s combination requires three keys instead of two keys (App. Br. 8) is not persuasive because claim 8 does not preclude an additional key. That is, claim 8 uses the open-ended language “*comprising* the steps of” and “*includes* the Bluetooth mode key and the short key.” In any case, Asai does not actually require three separate user inputs. Rather, Asai discloses that a user inputs a first command to activate the Bluetooth application, and a second command to select a particular Bluetooth device (Ans. 8; Asai, ¶¶ [0029]-[0033]). These two commands correspond to steps S1 and S5 in Asai’s Figure 3 (Asai, ¶¶ [0038]-[0041]). As shown in Figure 3, the connection command S2 that Appellant alleges requires a separate

user input (*see* App. Br. 8) is in fact performed by the Bluetooth application without further input by the user (*see* Asai, ¶¶ [0039], Fig. 3). Further, Appellant's Reply Brief argument that in claim 8 "a single key is pressed 'the key', and this key press acts as the Bluetooth mode key and the short key" (Reply Br. 2) is not persuasive because as discussed above, the claimed "inputted key" includes activation of two separate physical keys.

Additionally, Appellant's argument that "none of [Jeoung's] short keys correspond to either a Bluetooth device or service" (App. Br. 8) is not persuasive because the Examiner's obviousness conclusion relies on the collective teachings of the references. As Appellant admits, Asai discloses invoking Bluetooth service with respect to an external device through user commands (*see* App. Br. 7). Appellant does not provide evidence or specific arguments showing that it would not have been obvious to implement Jeoung's short keys in Asai's Bluetooth system to input the user commands.

We are therefore not persuaded that the Examiner erred in rejecting independent claim 8. Although Appellant nominally argues independent claim 13 (App. Br. 9) and dependent claims 9 and 14 (App. Br. 10) separately, Appellant relies on the same arguments presented for independent claim 8. Therefore, we also sustain the rejection of claims 9, 13, and 14 for the reasons discussed above.

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### CONCLUSION OF LAW

The Examiner did not err in rejecting claims 8, 9, 13, and 14 under 35 U.S.C. § 103(a).

### DECISION

For the above reasons, we affirm the rejection of claims 8, 9, 13, and 14.

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). *See* 37 C.F.R. § 41.50(f).

AFFIRMED

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