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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte DOUGLAS ALLAN

Appeal 2014-006844
Application 12/861,250
Technology Center 3600

Before BIBHU R. MOHANTY, PHILIP J. HOFFMANN, and
ROBERT J. SILVERMAN, *Administrative Patent Judges*.

MOHANTY, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

The Appellant seeks our review under 35 U.S.C. § 134 of the Final Rejection of claims 1–20, which are all the claims pending in the application. We have jurisdiction under 35 U.S.C. § 6(b).

SUMMARY OF THE DECISION

We AFFIRM.

THE INVENTION

The Appellant's claimed invention is directed to a transaction system that combines battery charging with other services (Spec., para. 4). Claim 1, reproduced below, is representative of the subject matter on appeal.

1. A transaction system comprising:
 - a vehicle battery charging system;
 - a self-service computer including
 - a display;
 - an input device;
 - a payment peripheral for making payment at the transaction system;
 - a receipt printer; and
 - a processor for displaying choices for a battery charging service and at least one non-parking service requiring payment via the display, for recording a user selection of the battery charging service and the at least one non-parking service via the input device, for obtaining payment for the battery charging service via the payment peripheral, for operating the vehicle battery charging system to apply charging current to a vehicle battery, for printing a transaction receipt for the battery charging service and for facilitating payment via the payment peripheral and completion of the at least one non-parking service, and printing a transaction receipt for the at least one non-parking service.

THE REFERENCES

Tseng	US 5,563,491	Oct. 8, 1996
Summers	US 6,402,030 B1	June 11, 2002
Lindahl	US 7,900,847 B2	Mar. 8, 2011
Hafner	US 7,991,665 B2	Aug. 2, 2011

THE REJECTIONS

The following rejections are before us for review:

1. Claims 1, 2, 9, and 10 are rejected under 35 U.S.C. § 103(a) as unpatentable over Tseng, Hafner, Summers, and Lindahl.

2. Claims 3–8, 11, and 15–20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Tseng, Hafner, Summers, Lindahl, and Official Notice.

3. Claim 12 is rejected under 35 U.S.C. § 103(a) as unpatentable over Tseng, Hafner, and Summers.

4. Claims 13 and 14 are rejected under 35 U.S.C. § 103(a) as unpatentable over Tseng, Hafner, Summers, and Official Notice.

FINDINGS OF FACT

We have determined that the findings of fact in the Analysis section below are supported at least by a preponderance of the evidence¹.

ANALYSIS

The Appellant argues that the rejection of claim 1 is improper because the cited prior art fails to disclose the system including a processor for for printing a transaction receipt for the battery charging service and for facilitating payment via the payment peripheral and completion of the at least one non-parking service, and printing a transaction receipt for the at least one non-parking service.

(App. Br. 11, 12).

In contrast the Examiner has determined that the cited claim limitations are shown by Tseng at column 2, lines 54–67, column 3, lines

¹ See *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1427 (Fed. Cir. 1988) (explaining the general evidentiary standard for proceedings before the Patent Office).

19–57, Hafner at column 8, lines 35–44, column 11, lines 5–25, column 12, lines 21–39, Summers at Figure 7, column 1, line 40 to column 2, line 17, and Lindahl at Figures 3–5 (Ans. 3–6).

We agree with the Examiner. Appellant’s arguments attack references individually, when the rejections are based on a combination of references. *See In re Keller*, 642 F.2d 413, 426 (CCPA 1981) (“one cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combinations of references”). Here, the elements of the argued claim limitations are shown by the cited prior art. Tseng at column 2, lines 54–67 discloses a battery charging station combined with a parking meter; and Hafner at column 8, lines 35–44 discloses offering a free vehicle charge if something else is purchased from a vendor. Summers at Figure 7 discloses the use of multiple receipts for each of multiple services; and Lindahl at Figures 3–5 discloses the use of multiple receipts by the use of gift receipts. Here, the cited prior art discloses the elements of the argued claim limitations.

The Appellant has also argued that the combination of references would not have been obvious (App. Br. 8, 9). We agree with the Examiner’s determination that the cited combination of record in the rejection would have been obvious. Here, the rejection of record would have been an obvious, predictable combination of familiar elements for the benefit of their respective functions as outlined in the rejection of record. For these reasons the rejection of claim 1 is sustained.

With regards to claim 2, the Appellant argued that the cited prior art fails to disclose the cited providing of “tickets” for the non-parking service (App. Br. 12). The Examiner has cited to Summers’s voucher for the car

wash at Figure 9 as being a “ticket,” and we agree that this citation meets the argued claim limitation under a broadest reasonable interpretation.

Accordingly, the rejection of claim 2 is sustained.

The Appellant has argued that the use of Official Notice for a station/kiosk that provides: directions to another station/kiosk that gives a similar service; the ability to pay bills (e.g., banking, ATM), entertainment (e.g., news, weather); advertisements; internet access, and the ability to charge vehicles was improperly taken (App. Br. 12, 13). We disagree with this contention, as these are all taken to be conventional uses for a kiosk, or certainly obvious to place in a kiosk in the cited combination of record in the rejection.

The Appellant has provided the same arguments for the remaining claims and the rejections of these claims is sustained as well for the same reasons given above.

CONCLUSIONS OF LAW

We conclude that Appellant has not shown that the Examiner erred in rejecting the claims as listed in the Rejections section above.

DECISION

The Examiner’s rejections of claims 1–20 are sustained.

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Application 12/861,250

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED