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13/222,678	08/31/2011	Sung-Oh HWANG	678-4267 (P18473-US/DMC)	5892
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THE FARRELL LAW FIRM, P.C. 290 Broadhollow Road Suite 210E Melville, NY 11747			SITTNER, MATTHEW T	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SUNG-OH HWANG and
SERGEY NIKOLAYEVICH SELEZNEV

Appeal 2014-009461¹
Application 13/222,678
Technology Center 3600

Before: MURRIEL E. CRAWFORD, JOSEPH A. FISCHETTI, and
MICHAEL W. KIM, *Administrative Patent Judges*.

KIM, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE

This is an appeal from the final rejection of claims 1–20. We have jurisdiction to review the case under 35 U.S.C. §§ 134 and 6.

The invention relates generally to requiring users to watch advertisements while receiving services or content. Spec. 1, ll. 14–16.

¹ The Appellants identify Samsung Electronics, Inc. as the real party in interest. Appeal Br. 1.

Claim 1 is illustrative:

1. A method for playing an advertisement in a device according to usage of a multimedia service, the method comprising:

receiving a user request to execute request specific content on a multimedia player;

determining whether advertisement enforced-watching information is included in a rights object representing a user's consumption rights for the specific content;

executing the specific content;

stopping, if the advertisement enforced-watching information is included in the rights object, the execution of the specific content according to the advertisement enforced-watching information and providing the advertisement to the user after stopping the execution of the specific content; and

resuming the stopped execution of the specific content after providing the advertisement to the user is completed.

The Examiner rejected claims 1–20 under 35 U.S.C. § 102(b) as anticipated by D'Amore (US 2009/0198542 A1, pub. Aug. 6, 2009).

We AFFIRM.

ANALYSIS

Appellants argue independent claims 1, 6, 11, and 20 together as a group (Appeal Br. 6–7), so we select claim 1 as representative. *See* 37 C.F.R. § 41.37(c)(1)(iv).

We are not persuaded by Appellants' arguments that D'Amore unlocks content, but, according to Appellants, fails to disclose stopping the “execution” of content, providing advertising, then restarting the content. Appeal Br. 4–6; *see also* Reply Br. 1–3. We disagree.

D'Amore discloses displaying advertisements in conjunction with displaying other requested content (D'Amore para. 7), where the advertising unlocks rights to the content (*Id.* at para. 16). D'Amore discloses further that the placement of the advertisements may be made “upon product launch, after consumption of the content, and/or any point there between.” *Id.* at para. 48. The ordinary artisan would have understood this as disclosing that advertisement could be required any combination of before, during, and after the display of content. Accordingly, when displaying advertisements “at any point” between launch and consumption of the content, some of the content would be displayed, then stopped for the advertisement, then restarted, as claimed.

For this reason, we sustain the rejection of claims 1, 6, 11, and 16. We also sustain the rejection of dependent claims 2–5, 7–10, 12–15, and 17–20 that were not argued separately. *See* Appeal Br. 6–7.

DECISION

We affirm the rejection of claims 1–20 under 35 U.S.C. § 102(b).

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