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CHANG, TOM Y

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ERAN SHEN

Appeal 2015-000118
Application 11/382,189
Technology Center 2400

Before BRUCE R. WINSOR, JOHN F. HORVATH, and NABEEL U. KHAN, *Administrative Patent Judges*.

HORVATH, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant seeks review, under 35 U.S.C. § 134(a), of the Examiner's rejection of claims 1–23. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

SUMMARY OF THE INVENTION

The invention is directed to methods of playing a media file sent to a receiver by including the media file and a pluggable codec in a container file sent to the receiver. Abstract.

Claim 1, reproduced below, is illustrative of the claimed subject matter:

> 1. A method of transferring a media file from a first device to a second device, the method comprising:
>
> creating a container file in the first device;
>
> placing the media file in the container file in the first device;
>
> placing a pluggable codec in the container file in the first device; and
>
> sending the container file from the first device to the second device in response to a request from the second device, the second device having a media player application, wherein the media player application does not have a codec to decode and play the media file prior to receiving the container file from the first device, and wherein the pluggable codec contains executable code to enable the media player application to decode and play the media file;
>
> wherein the media player application uses a predefined set of commands to control the pluggable codec, and wherein the predefined set of commands defines a standard Application Program Interface that allows the media player application to use a variety of different codecs that are compatible with the Application Program Interface.

REFERENCES

Scott	US 2005/0108361 A1	May 19, 2005
Choi	US 2005/0172274 A1	Aug. 4, 2005
Sirivara	US 2005/0234731 A1	Oct. 20, 2005

REJECTIONS

Claims 1–9, 15–21, and 23 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sirivara, Scott, and Choi. Final Act. 2.

Claims 10–14 and 22 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sirivara and Choi. Final Act. 11.

ISSUES AND ANALYSIS

We have reviewed the Examiner's rejection in light of Appellant's arguments that the Examiner has erred. We agree with Appellant's arguments, and reverse the Examiner's rejection of all pending claims. We highlight the following for emphasis.

The Examiner interprets the term "codec" to mean any information used to encode and decode data. Final Act. 15; Ans. 15. Consequently, the Examiner finds Sirivara's sending of digital media streams that "carry the information required to decode [the] stream in the stream itself," Sirivara ¶ 17, teaches placing a pluggable codec in a container file as required by independent claims 1, 10, and 16. Final Act. 2.

Appellant argues the Examiner's interpretation of the term "codec" is unreasonable, and that the term "codec" is a term of art that refers to more than just the information used in a decoding process. App. Br. 7. Appellant further argues that the "stream properties" included in Sirivara's container file (e.g., number of channels, sampling rate, quantization or bit depth) "are

settings that are ***used by a codec*** to decode a media file—they are ***not*** the codec itself." *Id.* at 5. Accordingly, Appellant argues the Examiner erred in rejecting claims 1, 10, and 16 because Sirivara does not teach "placing a pluggable codec in the container file" as recited in these claims. We are persuaded by Appellant's arguments.

The term "codec" is an acronym for enCOder/DECoder, and is a term of art that generally refers to a software or hardware implemented algorithm for compressing or decompressing data. *See* Spec. ¶ 6; Sirivara ¶ 9; Reply Br. 2–3. Familiar examples of audio codecs include the Windows Media Audio codec (WMA) and the Motion Picture Experts Group Audio Layer 3 codec (MP3). Sirivara ¶ 10. We, therefore, agree with Appellant that the Examiner's interpretation of the term "codec" is unreasonably broad, and that Sirivara's teaching of sending what are essentially codec parameters in the media stream does not teach sending a "codec" in the media stream.

We note the Examiner does not find that it would have been obvious to send codecs in Sirivara's media stream, given Sirivara's teachings of (a) sending codec parameters in the media stream, and (b) allowing media stream extensions to identify later-defined codecs (*see* Sirivara ¶¶ 17, 21). Accordingly, based on the record before us, we reverse the Examiner's rejection of independent claims 1, 10, and 16, and of their dependent claims 2–9, 11–15, and 17–23.

DECISION

The rejection of claims 1–9, 15–21, and 23 under 35 U.S.C. §103(a) as unpatentable over Sirivara, Scott, and Choi is reversed.

The rejection of claims 10–14 and 22 under 35 U.S.C. §103(a) as unpatentable over Sirivara and Choi is reversed.

REVERSED