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EXAMINER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte JAE-SEOK JANG, SEOG-CHEON JEON,
and
HYUNG-SIK KIM

Appeal 2015-000293
Application 12/645,358
Technology Center 2400

Before CARLA M. KRIVAK, MICHAEL J. STRAUSS, and
NABEEL U. KHAN, *Administrative Patent Judges*.

KRIVAK, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from a Final Rejection of claims 1, 2, 4–8, and 10–18. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

STATEMENT OF THE CASE

Appellants' invention is directed to "a method and system for using a single piece of contents by a plurality of devices by using an external memory" (Spec. ¶12).

Independent claim 1, reproduced below, is exemplary of the subject matter on appeal.

1. A method of playing an encrypted content, the method comprising:

connecting an external content-storage device to a content-playing device for playing the encrypted content, wherein the content-playing device is pre-registered for use in playing the particular content, wherein the external storage device stores the encrypted content, at least one encrypted content identifier, and a right object including a content encryption key, and wherein the at least one encrypted content identifier is created by encrypting a content identifier of the particular content with a unique identifier of at least one pre-registered content-playing device;

retrieving, from the content-playing device, the unique identifier of the content-playing device;

obtaining the content identifier from the stored at least one encrypted content identifier, through a decoding process using the retrieved unique identifier of the content-playing device;

obtaining the content encryption key from the stored right object, using the obtained content identifier;

decrypting the encrypted content using the obtained content encryption key; and

playing the decrypted content in the content-playing device.

REFERENCES and REJECTIONS

The Examiner rejected claims 1, 2, 5, 10, 11, 13, 15, and 17 under 35 U.S.C. § 103(a) based upon the teachings of Peterka (US 2006/0242069 A1;

Oct. 26, 2006) and IBM (“IBM Response to DVB-CPT Call for Proposals for Content Protection & Copy Management: xCP Cluster Protocol,” October 19, 2001).

The Examiner rejected claims 4, 6–8, 12, 14, and 16 under 35 U.S.C. § 103(a) based upon the teachings of Peterka, IBM, and Irwin (US 2005/0071280 A1; Mar. 31, 2005).

The Examiner rejected claim 18 under 35 U.S.C. § 103(a) based upon the teachings of Peterka, IBM, and Downs (US 6,574,609 B1; Jun. 3, 2003).

ANALYSIS

Appellants contend the Examiner erred in finding the combination of Peterka and IBM does not teach or suggest independent claims 1, 10, and 13, which recite substantially the same limitations (Br. 12). Particularly, Appellants contend Peterka does not disclose “encrypted content stored in the content-storage device” or a “content identifier also stored in the content-storage device” as claimed (Br. 11). That is, Appellants assert, in Peterka both a source device and a determination device store protected content and licenses (content playing devices); whereas Appellants’ content storage device, which is an external memory, and not content playing devices, stores encrypted information (*id.*). Appellants also contend the Examiner erred in finding the binding key recited in IBM is not a unique identifier for each device as claimed, “but rather is a unique identifier for the entire home” (Br. 12). We do not agree.

We agree with and adopt the Examiner’s findings as our own (Ans. 9–12). First, we note although Appellants argue Irwin does not disclose the limitations of the independent claims, Irwin was not used in rejecting the

independent claims (Ans. 10, 11). Further, we agree Peterka discloses an external storage device, such as a DVD, from which content is delivered (Ans. 10; Peterka ¶¶ 12, 14), and is capable of being connected to a preregistered content-playing device, contrary to Appellants' contentions (Ans. 11; Br. 11). We also agree with the Examiner IBM's encrypted title key and not the binding key is equivalent to Appellants' encrypted content identifier contrary to Appellants contentions (Ans. 12; Br. 12). Appellants have not rebutted the Examiner's reasonable findings.

Thus, in light of the broad terms recited in the claims and the arguments presented, Appellants have failed to clearly distinguish their claimed invention over the prior art relied on by the Examiner. We therefore are not persuaded the Examiner's reading of the claims on the cited combination of references is overly broad or unreasonable and sustain the Examiner's rejection of claims 1, 2, 4-8, and 10-18, argued together (Br. 11).

DECISION

The Examiner's decision rejecting claims 1, 2, 4-8, and 10-18 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