



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/158,971	11/17/2008	Michael Rohlf's	11150/142	1725
26646	7590	11/28/2016	EXAMINER	
ANDREWS KURTH KENYON LLP			CHEN, SHELLEY	
ONE BROADWAY			ART UNIT	
NEW YORK, NY 10004			PAPER NUMBER	
			3663	
			NOTIFICATION DATE	
			DELIVERY MODE	
			11/28/2016	
			ELECTRONIC	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@kenyon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

*Ex parte* MICHAEL ROHLFS, VOLKMAR SCHOENING,  
and FRANK SCHWITTERS

---

Appeal 2015-000624  
Application 12/158,971  
Technology Center 3600

---

Before CHARLES N. GREENHUT, ANNETTE R. REIMERS, and  
JILL D. HILL, *Administrative Patent Judges*.

GREENHUT, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from a rejection of claims  
23–31 and 33–43. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

### CLAIMED SUBJECT MATTER

The claims are directed to a park-steer assist system and method for operating a park-steer assist system. Claim 23, reproduced below, is illustrative of the claimed subject matter:

23. A semi-automatic park-steer assist system of a motor vehicle for aiding in an alignment of the motor vehicle in a parking space, comprising:

a device configured to detect an activation signal;

a device configured to determine a change direction in which an alignment of the motor vehicle is to be changed;

a control unit configured to control at least one actuator in an active state of the park-steer assist system to deflect steerable wheels of the motor vehicle in the change direction when a set drive direction is forward and to deflect the steerable wheels counter to the change direction when the set drive direction is reverse;

wherein the control unit includes an alignment-determination unit configured to compare an instantaneous alignment of the motor vehicle with a setpoint alignment, and, if the instantaneous alignment corresponds to the setpoint alignment, to control the actuator to move the steerable wheels into a substantially non-deflected center position.

### REJECTIONS

Claims 23–31 and 33–43 rejected under 35 U.S.C. § 103(a) as being unpatentable over Schindler (US 2004/0130464 A1; pub. July 8, 2004) in view of Shimizu (US 6,154,695; iss. Nov. 28, 2000).

Claims 23, 25, 26, 29, 30, 33–34, 36, 39, and 41–43 rejected under 35 U.S.C. § 102(b) as being anticipated by Shimizu.

OPINION

In each of the rejections above, the relied upon portions of both Schindler and Shimizu discuss using the “steering angle” of the vehicle as a basis for parking assistance. Final Act. 7–9 (citing Schindler, paras. 20, 21, 37–1 and Shimizu, col. 5, ll. 51–55). The Examiner’s rejections are therefore premised upon the “‘alignment of the motor vehicle’ . . . interpreted broadly to mean the steering angle of the vehicle (and thus the claimed ‘setpoint alignment’ would also be interpreted as the setpoint steering angle), rather than the body angle or distance of the vehicle.” Ans. 15 (emphasis omitted). However, vehicles having similar alignments may have very different steering angles. *Compare, e.g., Spec., Figs. 1, and 2c.* Thus, the ability of a control unit to compare the alignment of the vehicle itself with a setpoint alignment of the vehicle is not the same thing as the ability to compare or determine steering angles. Reply Br. 6. As this unreasonable claim interpretation forms the basis for both of the Examiner’s rejections, they cannot be sustained.

DECISION

The Examiner’s rejections are reversed.

REVERSED