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.
12/577,474	10/12/2009	William J. Plut	0203-0519	4341

68103 7590 10/27/2016
Jefferson IP Law, LLP
1130 Connecticut Ave., NW, Suite 420
Washington, DC 20036

EXAMINER
BUKOWSKI, KENNETH

ART UNIT	PAPER NUMBER
2621	

NOTIFICATION DATE	DELIVERY MODE
10/27/2016	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):

usdocketing@jeffersonip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte WILLIAM J. PLUT

Appeal 2015-004390
Application 12/577,474
Technology Center 2600

Before CARL W. WHITEHEAD JR., JOSEPH P. LENTIVECH, and MICHAEL J. ENGLE, *Administrative Patent Judges*.

LENTIVECH, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant[1] seeks our review under 35 U.S.C. § 134(a) of the Examiner's rejection of claims 1–28, the only claims pending in the application on appeal. We have jurisdiction over the pending claims under 35 U.S.C. § 6(b).

We reverse.

---

[1] According to Appellant, the real party in interest is Samsung Electronics Co., Ltd. App. Br. 2.

STATEMENT OF THE CASE

Appellant's Invention

Appellant's invention generally relates to reducing power consumed by a display of an electronic device by suppressing luminance of video information output on the display. Spec. ¶ 2. Claim 1, which is illustrative, reads as follows:

> 1. A method for reducing power consumed by an electronics device that includes a display device, the method comprising:
>
> displaying initial video information that contributes to an initial aggregate luminance output by the display device;
>
> determining the initial aggregate luminance output by the display device as the display device displays the initial video information;
>
> in response to an indication for output of new video information on the display device, determining a new aggregate luminance to be output by the display device if the display device were to display the new video information;
>
> determining whether the new aggregate luminance for the display device is greater than the initial aggregate luminance;
>
> altering the new video information so as to produce altered video information that contributes to a reduced aggregate luminance for the display device that is less than or equal to the initial aggregate luminance when the new aggregate luminance for the display device is greater than the initial aggregate luminance; and
>
> displaying the altered video information, wherein the display device consumes less power when displaying the altered video information than would be consumed for display of the new video information.

Rejections

Claims 1–3, 12, 14, 20, and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kawamura et al. (US 2005/053825 A1; published Nov. 17, 2005) ("Kawamura"). Non-Final Act. 3–5.

Claims 4–8, 13, 15, 19, and 22–28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kawamura and Karidis et al. (US 2006/0087502 A1; published Apr. 27, 2006) ("Karidis"). Non-Final Act. 5–10.

Claims 9, 10, 16, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kawamura and Chang et al. (WO 03/091791 A1; published Nov. 6, 2003) ("Chang"). Non-Final Act. 10–11.

Claims 11 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kawamura and Siwinski (US 7,012,588 B2; issued Mar. 14, 2006). Non-Final Act. 11–12.

Dispositive Issue on Appeal

Did the Examiner err by finding that Kawamura discloses "determining whether the new aggregate luminance for the display device is greater than the initial aggregate luminance," as recited in claim 1?

ANALYSIS

Appellant contends the Examiner erred in rejecting claim 1 because Kawamura fails to disclose every limitation recited in claim 1. App. Br. 6–8; Reply Br. 2–3. In particular, Appellant contends Kawamura fails to disclose "determining whether the new aggregate luminance for the display

device is greater than the initial aggregate luminance," as recited in claim 1. App. Br. 7. With respect to this limitation, Appellant contends "Kawamura merely discloses a relationship of a brightness at a peripheral area of a screen and a brightness at a central area of the screen" and "Kawamura fails to disclose any relationship between an aggregate luminance for new video information in relation to an initial aggregate luminance." *Id.* Appellant further contends Kawamura discloses comparing brightness of video information to a preset threshold and fails to disclose "determining the initial aggregate luminance output by the display device, and thereafter comparing a new aggregate luminance to the initial aggregate luminance," as required by claim 1. App. Br. 8.

Regarding the disputed limitation, the Examiner finds Kawamura discloses "[w]here the amplitude level of the new/subsequent video signal exceeds a certain threshold level, the brightness is limited to a certain brightness level according to the power consumption." Ans. 4 (citing Kawamura ¶¶ 32–35). The Examiner finds Kawamura's threshold level corresponds to the recited "initial aggregate luminance" and, therefore, that Kawamura discloses the disputed limitation. Ans. 4–5.

We have reviewed Kawamura and agree with Appellant that Kawamura fails to disclose the disputed limitation. Contrary to the Examiner's findings, Kawamura does not disclose limiting the brightness level (e.g., aggregate luminance) of new video information when the amplitude level of the new video information exceeds the threshold. Instead, Kawamura discloses if the input video signal is the second frame (e.g., the "new video information"), the APC signal S_{apc} *produced for the previous frame* (e.g., the "initial video information") is compared to the threshold to

determine whether the APC function is actuated to limit the brightness of the second frame to a certain brightness level. Kawamura ¶ 39. Kawamura fails to disclose utilizing the aggregate luminance based upon new video information to determine whether to alter (e.g., reduce the brightness level) the new video information. As such, we are persuaded that the Examiner erred in finding Kawamura discloses the disputed limitation.

Because we find this issue to be dispositive as to the rejection of all the claims, we do not reach Appellant's remaining contentions.

Accordingly, we do not sustain the Examiner's rejection of claim 1; independent claims 12 and 20, which recite similar limitations; and claims 2, 3, 14, and 21, which depend from claims 1, 12, and 20.

Claims 4–11, 13, 15–19, and 21–28 depend from claims 1, 12, and 20. The claims are rejected under 35 U.S.C. § 103(a) based on Kawamura and various additional references. We find these additional references fail to cure the deficiencies of Kawamura identified above with respect to claim 1. Therefore, we do not sustain the rejections of claims 4–11, 13, 15–19, and 21–28 for the same reasons.

DECISION

We reverse the Examiner's rejections of claims 1–28.

REVERSED