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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RONALD HAIN, HERBERT MEIER, NHU NGUYEN THIEN,
THOMAS ROSENSTOCK, and ALEXANDER STEGE

Appeal 2015-005886
Application 13/517,961
Technology Center 2600

Before CARLA M. KRIVAK, HUNG H. BUI, and
JOSEPH P. LENTIVECH, *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 11 and 13–26. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

STATEMENT OF THE CASE

Appellants' invention is directed to "a method and an apparatus for the [sic] operator control of technical devices" (Spec. 1:10–18).

Independent claim 11, reproduced below, is exemplary of the subject matter on appeal.

11. A method for operator control of devices in a motor vehicle, comprising:

routing at least one of a voice input containing semantic information by a voice input unit and a manual input by a manual input unit to a control unit as an operator control instruction;

generating a command by the control unit corresponding to the operator control instruction;

routing the command to a respective device, which then executes an operator control operation associated with the operator control instruction;

stipulating by the at least one of the voice input unit and the manual input unit a basic structure for the command;

adding by the at least one of the voice input unit and the manual input unit to the basic structure of the command to form an executable command;

storing the voice input continuously in a ring buffer in the voice input unit; and

relating a series of manual inputs to one another based on the semantic information of the voice input,

wherein the ring buffer provides a period of time prior to a starting time of voice recognition such that the operator can start operator input with a voice input and continue, during or after the voice input, with a manual input,

wherein if the basic structure for the command relates to an object, the object is linked to a command from at least one of the voice input unit and the manual input unit to form the executable command, and

wherein if the basic structure for the command relates to a function, the function is linked to a name input from at least one of the voice input unit and the manual input unit to form the executable command.

REFERENCES and REJECTIONS

The Examiner rejected claims 25 and 26 under 35 U.S.C. § 103(a) based upon the teachings of Faisman (US 2005/0197843 A1; published Sept. 8, 2005).

The Examiner rejected claims 11, 14–17, 21, 23, and 24 under 35 U.S.C. § 103(a) based upon the teachings of Faisman and Rees (US 2003/0154078 A1; published Aug. 14, 2003).

The Examiner rejected claims 13, 18, 20, and 22 under 35 U.S.C. § 103(a) based upon the teachings of Faisman, Rees, and Daude (US 2008/0021598 A1; published Jan. 24, 2008).

The Examiner rejected claim 19 under 35 U.S.C. § 103(a) based upon the teachings of Faisman, Rees, Daude, and Hashima (US 6,816,783 B2; issued Nov. 9, 2004).

ANALYSIS

Appellants argue claims 11, 15, 25, and 26 together (App. Br. 11). We address our arguments with respect to claim 11.

Appellants main argument in the briefs is that paragraphs 26 and 35 of Faisman do not teach or suggest the claim limitation “relating a series of manual inputs to one another based on the semantic information of the voice input” (claims 11 and 25). That is, Appellants contend even if Faisman “show[s] that voice commands can provide new meanings to touch gestures” this is not the same as relating “a series of manual inputs to one another based on semantic information contained in the voice input,” as claimed (App. Br. 11). We do not agree.

We agree with and adopt the Examiner’s findings as our own (Final Act. 2–17; Ans. 3–10). Initially we note, as does the Examiner, Appellants are only referring to two paragraphs of Faisman that were cited (¶¶ 26, 35), and have ignored the remaining cited paragraphs (Ans. 9; Faisman’s Abstract, Figures, ¶¶ 11, 19, 24–26, 29, 32, 35, and 38–41). These paragraphs read together, place paragraphs 26 and 35 in context. That is, as the Examiner finds, Faisman’s disclosure of a “a voice input may be used to give meaning to a touch input within the temporal window” (¶29) and giving meaning to the spoken word “‘there’ as the location on the touch screen indicated by the sensed touch” (¶ 40) teaches or suggests the claim limitation of manual inputs related to each other based on semantic information from a voice input (Ans. 6–7). Appellants’ Reply addresses the newly cited paragraph 29, alleging even though Faisman teaches a voice giving meaning to a series of manual inputs this is not what is claimed (Reply Br. 4). That is, Appellants contend, Faisman does not teach “relating [to] different manuals[sic] inputs to one another, based on semantic information contained in the voice input” (emphasis omitted) as claimed (*id.*). Appellants do not explain why Faisman’s teachings do not disclose this claim limitation, except that it is “simply *not what is actually claimed*” (*id.*). However, a voice giving meaning to a manual input must somehow relate the semantics of the voice to a manual input or inputs. Thus, Appellants’ arguments are not persuasive of Examiner error, particularly in light of the Examiner’s comparison of Appellants’ Specification to Faisman’s paragraph 29 (Ans. 9).

For the above reasons, we are not persuaded of Examiner error. We find the weight of the evidence supports the Examiner’s ultimate legal conclusion of obviousness, and therefore sustain the Examiner’s rejection of

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independent claims 11, 15, 25, and 26 argued together, and dependent claims 13, 14, and 16–24 argued for the same reasons (App. Br. 12).

DECISION

The Examiner's decision rejecting claims 11 and 13–26 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