



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/466,250 05/08/2012 Shawn Murray Edward Pedersen 025630-9061-US00 5399

23510 7590 11/09/2016
MICHAEL BEST & FRIEDRICH LLP (Mad)
100 East Wisconsin Avenue
Suite 3300
Milwaukee, WI 53202

EXAMINER

NGO, TONY N

ART UNIT PAPER NUMBER

2622

NOTIFICATION DATE DELIVERY MODE

11/09/2016

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):

madipdocket@michaelbest.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

*Ex parte* SHAWN MURRAY EDWARD PEDERSON,  
BRIAN ERIC AIKENS, and LOREN THOMAS PARFITT

---

Appeal 2015-007175  
Application 13/466,250  
Technology Center 2600

---

Before BRUCE R. WINSOR, LINZY T. McCARTNEY, and  
NATHAN A. ENGELS, *Administrative Patent Judges*.

*PER CURIAM*.

DECISION ON APPEAL

Appellants<sup>1</sup> appeal under 35 U.S.C. § 134(a) from a final rejection of claims 7–20. We have jurisdiction under 35 U.S.C. § 6(b). Claim 1–6 are canceled. *See* App. Br. 10 (Claims App'x).

We reverse.

---

<sup>1</sup> According to Appellants, the real party in interest is Echoflex Solutions Inc. App. Br. 1.

STATEMENT OF THE CASE

*The Invention*

Appellants' "invention relates to the deployment of wireless environmental control or sensing devices and the evaluation of signals transmitted between the devices and a controller." Spec. ¶ 1. Claim 7 is independent and illustrative of the subject matter on appeal:

7. A system for evaluating signal quality of a wireless signal, the system comprising:

a signal quality device including a user control device, a display device, and a processing unit, the signal quality device configured to

generate a first signal following activation of the user control device,

wirelessly transmit the first signal,

receive a second signal in response to the first signal, the second signal related to the signal quality of the first signal, and

activate the display device to provide an indication of the signal quality of the first signal; and

a wireless environmental controller including a processing unit and configured to

receive the first signal,

determine the signal quality of the first signal,

generate the second signal in response to the first signal, the second signal being related to the signal quality of the first signal, and

wirelessly transmit the second signal.

App. Br. 10 (Claims App'x).

*Rejections on Appeal*

Claims 7–20 stand rejected under 35 U.S.C. § 102(b) as anticipated by McCune (US 2002/0081977 A1; published June 27, 2002). *See* Final Act. 8–15.

ISSUE

The issue presented by Appellants’ contentions is as follows: Does the Examiner err in finding that McCune discloses “a wireless environmental controller . . . configured to . . . determine the signal quality of the first signal,” as recited in claim 7?

ANALYSIS

In rejecting claim 7, the Examiner maps a “signal quality device” to McCune’s handset 105. *See* Final Act. 8; Ans. 5; McCune Fig. 2, item 105. The Examiner maps a “first signal” to the signal sent out by McCune’s handset 105 to lock onto the incoming signal by the base station 110 in order to identify the user and registration. *See* Final Act. 8; Ans. 5; McCune Fig. 2, ¶ 30. The Examiner maps a “wireless environmental controller” to McCune’s received signal quality indicator (RSQI) apparatus 135. *See* Final Act. 8–9; Ans. 5; McCune Fig. 3, item 135. The Examiner maps a “second signal” to the quality signal produced by the RSQI apparatus 135 to indicate the quality of the signal received by handset 105 from base station 110. *See* Final Act. 8–9; Ans. 5; McCune Fig. 8, item 255; ¶ 41.

The Examiner finds the received signal quality indicator (RSQI) apparatus 135 measures the quality (e.g., the bit error rate or signal-to-noise ratio) of the signal received by handset 105 from base station 110. *See* Final

Act. 9 (citing McCune Figs. 8 (items 255, 265) and 9 (items 275, 280)); Ans. 4–5; *see also* McCune Fig. 2, ¶¶ 30, 41. Accordingly, the Examiner finds that McCune discloses “a wireless environmental controller . . . configured to . . . determine the signal quality of the first signal,” as recited in claim 7. *See* Final Act. 9; Ans. 4–5.

Appellants contend McCune does not disclose this limitation because the RSQI apparatus evaluates the quality of a second signal received from base station 110, not “the first signal,” i.e., the registration signal sent by handset 105 to base station 110. *See* App. Br. 5–7.

We agree with Appellants. As Appellants contend, McCune’s RSQI apparatus does not disclose the disputed limitation because the RSQI apparatus evaluates the quality of the incoming signal received by handset 105 from base station 110, as opposed to “the first signal,” which the Examiner maps to the registration signal sent by handset 105 to lock onto the incoming signal of base station 110. *See* App. Br. 5–7; McCune Figs. 2, 8, 9; ¶¶ 30, 41.

In view of the foregoing, we conclude the Examiner errs in the rejection of claim 7. Accordingly, we do not sustain the rejection of independent claim 7. For similar reasons, we do not sustain the rejection of independent claim 13 and dependent claims 8–12 and 14–20, each of which include the same deficiency discussed above for the rejection of claim 7. *See* App. Br. 10–12 (Claims App’x); Ans. 3–7; Final Act. 9–20.

Appeal 2015-007175  
Application 13/466,250

DECISION

The decision of the Examiner to reject claims 7–20 is reversed.

REVERSED