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Row 2: 92556, 7590, 11/23/2016, HONEYWELL/HUSCH, Patent Services, 115 Tabor Road, P.O.Box 377, MORRIS PLAINS, NJ 07950
Row 3: EXAMINER AKHTER, SHARMIN
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RAJA MANIKANDAN and
SIVAKUMAR BALAKRISHNAN

Appeal 2015-007968
Application 13/832,288
Technology Center 2600

Before ROBERT E. NAPPI, JAMES R. HUGHES, and
ALEX S. YAP *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) of the Examiner's Non-Final Rejection of claims 1 through 20, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

INVENTION

The disclosed and claimed inventions are directed to an access controller that controls locking devices of a secured area where the access levels for entry is modified in response to information about public threats. *See Abstract*.

CLAIMED SUBJECT MATTER

Claim 1 is illustrative of the invention and reproduced below:

1. A method comprising:

providing an access controller that controls locking devices on entry and egress portals of a secured area;

registering the controller with an external website or information source that provides information about public threats existing outside the secured area, the provided information including an identifier of a type of an event associated with a public threat, a time of the event and a geographic location of the event; and

the controller modifying an access level for entry into the secured area in response to notice of a public threat received from the external website or information source based upon the type of public threat and a distance between the secured area and the geographical location of the public threat.

REFERENCES AND REJECTIONS AT ISSUE

The Examiner rejected claims 1, 2, 11, 12, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Cirker (US 2008/0224862 A1; September 18, 2008), Adair (US 2009/0261972 A1; October 22, 2009), and Layson (US 2014/0344404 A1; November 20, 2-14). Office Act. 2–6.¹

The Examiner rejected claims 3 through 7, 13 through 17, and 20 under 35 U.S.C. § 103(a) as being unpatentable over Cirker, Adair, Layson, and Lewis (US 2010/00245083 A1; September 30, 2010). Office Act. 6–9.

¹ Throughout this Opinion we refer to the Appeal Brief dated April 29, 2015, Reply Brief dated August 31, 2015, Non-Final Rejection dated March 26, 2015, and the Examiner's Answer mailed on August 13, 2015.

The Examiner rejected claims 8 through 10 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Cirker, Adair, Layson, and Falk (US 2010/0201480 A1; August 12, 2010). Office Act. 9–10.

ANALYSIS

We have reviewed Appellants' arguments in the Briefs, the Examiner's rejections and the Examiner's response to Appellants' arguments. Appellants' arguments have not persuaded us of error in the Examiner's rejections of claims 1 through 20 of 35 U.S.C. § 103(a).

Appellants argue the Examiner's rejection of independent claims 1, 11, and 19 is in error as none of Cirker, Adair, and Layson teach modifying an access level for entry into the secured area in response to a notice of a public threat as claimed. App. Br. 7–8. Further, Appellants argue that the Examiner has not set forth a prima face case of obviousness as:

In this regard, there is no teaching or suggestion whatsoever in Cirker, Adair or Layson of any “controller modifying an access level for entry into the secured area in response to notice of a public threat received from the external website or information source based upon the type of public threat and a distance between the secured area and the geographical location of the public threat.” Cirker is associated with privacy, Adair with evacuation of metropolitan areas and Layson with criminal offenders.

App Br. 10.

The Examiner has provided a comprehensive response to Appellants' arguments on pages 2 through 4 of the Answer. We have reviewed the Examiner's Answer and the evidence cited and we concur with the Examiner. The premise of Appellants' arguments is that none of the references are concerned with an access control system for modifying access

levels into a secured area in response to a received threat indication. We note, contrary to Appellants' arguments, Cirker teaches this feature in paragraphs 25 and 42 as cited by the Examiner. Specifically, Cirker states:

[A]ccording to one exemplary embodiment, the security system interface (220) may be configured to . . . control external devices in response to changes in threat levels. According to one exemplary embodiment, the security system interface (220) may be configured to control . . . control access control systems such as door locks to secure predetermined doors in a threat situation.

Cirker para. 25.

Furthermore, the present threat based surveillance control system (200) may be extended to access control systems and alarm systems. With regard to access control systems, providing access control systems with threat level information, different rules or access restrictions can be automatically implemented during high threat situations.

Cirker para. 42.

Thus, we find ample evidence to support the Examiner's finding directed to Cirker teaching an access control system for modifying access levels into a secured area in response to a received threat indication.

Further, as Appellants' arguments are premised upon this finding by the Examiner being in error, we are not persuaded of error in the Examiner's rejection. Accordingly, we sustain the Examiner's rejections of claims 1 through 20.

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Application 13/832,288

DECISION

We sustain the Examiner's rejections of claims 1 through 20 under 35 U.S.C. § 103(a).

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