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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LAGOR, ALEXANDER	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SHEE-YEN TAN, XUEMIN CHEN,
IUE-SHUENN CHEN, and QIANG YE

Appeal 2015-008168
Application 11/682,544
Technology Center 2400

Before JOSEPH L. DIXON, JAMES R. HUGHES, and ERIC S. FRAHM,
Administrative Patent Judges.

HUGHES, *Administrative Patent Judge.*

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from a rejection of claims 1, 2, 4–9, 11–16, and 18–24. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

The invention relates to multi-level initialization and configuration of security components in a processing environment (Spec. ¶¶ 8, 24). Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A method for system initialization, the method comprising:

enabling a security component in a security system based on a value of an enable bit stored within a non-volatile memory integrated within a security processor in said security system; and

activating, by said security processor, said security component in response to a configuration command communicated to said security processor by a host processor in said security system if said security component is enabled,

wherein said host processor is prevented from modifying the enable bit stored within the non-volatile memory to enable the security component.

REFERENCES

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Leporini	US 7,590,860 B2	Sept. 15, 2009
Koguchi	US 2002/0138749 A1	Sept. 26, 2002
Porter	US 2003/0226029 A1	Dec. 4, 2003
Candelore	US 2004/0088558 A1	May 6, 2004

REJECTIONS

The Examiner made the following rejections:

Claims 1, 4, 7, 8, 11, 14, 15, 18, 21, 22, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Candelore and Koguchi.

Claims 2, 9, 16, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Candelore, Koguchi, and Porter.

Claims 5, 6, 12, 13, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Candelore, Koguchi, and Leporini.

ANALYSIS

Claim 1 recites the following limitation: “activating, by said security processor, said security component in response to *a configuration command communicated to said security processor by a host processor* in said security system if said security component is enabled” (emphasis added).

In the Final Action, the Examiner finds Candelore’s processor 230 discloses the claimed host processor (Final Act. 7). In the Examiner’s Answer, the Examiner relies on both Candelore’s processor 430 and Koguchi’s video processor 4 for disclosing the claimed host processor (Ans. 3, 5). Appellants contend “the Examiner has failed to identify where the combination of Candelore and Koguchi teaches or suggests that the processor 430 communicates a configuration command like the one claimed, which triggers the claimed ‘security processor’ to activate the claimed ‘security component’” (Reply Br. 4). We agree with Appellants.

The Examiner has not specifically identified where either Candelore or Koguchi teaches a host processor that sends a configuration command to a security processor to activate a security component. More specifically, the

Examiner has not shown that Candelore's processor 230 in Figure 2 or processor 430 in Figure 4 sends a configuration command to a security processor. Nor has the Examiner shown Koguchi's video processor 4 sends a configuration command to a security processor. Rather, Koguchi's Figure 1 shows all the communication lines between the authentication/decryption unit 2 and the video processor 4 operate in the direction toward the video processor. This teaches against the video processor sending a command in the reverse direction to the microcontroller 6, which the Examiner appears to identify as the claimed security processor (*see* Ans. 4–5).

We are, therefore, constrained by the record to find the Examiner erred in rejecting independent claim 1, independent claims 8, 15, and 22 which recite commensurate limitations, and dependent claims 4, 7, 11, 14, 18, 21, and 24 for similar reasons.

Further, the Examiner has not shown the additional references applied to claims 2, 5, 6, 9, 12, 13, 16, 19, 20, and 23 cure the deficiency of Candelore and Koguchi discussed above. Therefore, we also find the Examiner erred in rejecting claims 2, 5, 6, 9, 12, 13, 16, 19, 20, and 23.

CONCLUSION

The Examiner erred in rejecting claims 1, 2, 4–9, 11–16, and 18–24 under 35 U.S.C. § 103(a).

DECISION

For the above reasons, the Examiner's rejections of claims 1, 2, 4–9, 11–16, and 18–24 are reversed.

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REVERSED