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| Nokia Corporation and Alston & Bird LLP c/o Alston & Bird LLP Bank of America Plaza, 101 South Tryon Street Suite 4000 Charlotte, NC 28280-4000 | | | SALVUCCI, MATTHEW D | |
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RAJA BOSE and JORG BRAKENSIEK

Appeal 2016-000863
Application 12/826,663
Technology Center 2600

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

PER CURIAM.

DECISION ON APPEAL

Appellants¹ appeal under 35 U.S.C. § 134(a) from the Final Rejection of claims 1–24. App. Br. 32–38. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

¹ According to Appellants, the real party in interest is Nokia Corporation. App. Br. 2.

STATEMENT OF THE CASE

The Claims

Claim 1 of Appellants' invention is independent and illustrative of the subject matter on appeal:

1. A method comprising:

acquiring frame buffer data defining an image area that has been refreshed;

detecting a cursor indicating an active input area within the frame buffer data, wherein detecting the cursor includes determining that dimensions of the image area match dimensions of a previously acquired image area associated with a successful cursor detection; and

directing transmission of coordinates and dimensions of the image area to a remote environment, wherein the transmitted coordinates and dimensions of the image area comprise an active text input area.

App. Br. 32.

The Examiner's Rejections

Claims 1, 2, 7–9, 14–18, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Davidson,² Willis,³ and Tani⁴. *See* Final Act. 7–20.

² Davidson et al. (US 2004/0135788 A1; published July 15, 2004) (“Davidson”).

³ Willis et al. (US 2003/0107579 A1; published June 12, 2003) (“Willis”).

⁴ Tani et al. (US 2004/0227739 A1; published Nov. 18, 2004) (“Tani”).

Claims 3–6, 10–13, and 19–22 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Davidson, Willis, Tani, and Schmieder⁵. *See* Final Act. 20–35.

ANALYSIS

Appellants contend the Examiner erred because the combination of Davidson, Willis, and Tani does not teach or suggest the “detecting” limitation, as recited in claim 1. *See* App. Br. 9–13, 16–20; Reply Br. 4–6, 9–12; *see also* Final Act. 7–9 (citing Davidson ¶¶ 36, 37, 49, 97; Willis ¶¶ 16, 28). The Examiner found Davidson teaches detecting that a cursor has been positioned over a particular landmark point and aligning heads of different images with respect to a common set of axes in order to compare equivalent landmark points from the different images. Final Act. 7–9. Accordingly, the Examiner found Davidson teaches the “detecting” limitation except that Davidson uses “another” image area for determining a match in dimensions instead of a “previously acquired” image area. *See* Final Act. 7–8 (citing Davidson ¶¶ 36, 37, 49, 97). The Examiner found Willis teaches this missing portion of the “detecting” limitation by using a lookup table to determine the region of a frame buffer associated with a write command and determining whether the region is the same as the last modified region. *See* Final Act. 8–9 (citing Willis ¶¶ 16, 28).

Appellants argue that contrary to the Examiner’s findings, Davidson’s disclosure of comparing equivalent points in different images to determine how landmark-point locations vary within the images does not teach or

⁵ Schmieder (US 2007/0288640 A1; published Dec. 13, 2007) (“Schmieder”).

suggest determining that dimensions of the image area match dimensions of another image area associated with a successful cursor detection. *See* App. Br. 16, 18–19; Reply Br. 11–12. Appellants further argue that Willis’s disclosure of determining whether the current region associated with a write command is the same as a region stored in a variable named “last modified region” does not teach or suggest “determining that dimensions of an image area match dimensions of a previously acquired image area.” *See* App. Br. 17–18, 19–20; Reply Br. 11–12.

Having reviewed Appellants’ arguments in light of the Examiner’s findings, we agree with Appellants that the Examiner erred. Nothing in the cited disclosures of Davidson or Willis teaches or suggests “wherein detecting the cursor includes determining that dimensions of the image area match dimensions of a previously acquired image area associated with a successful cursor detection.” *See* Davidson ¶¶ 36, 37, 49, 97; Willis ¶¶ 16, 28. Although Davidson discloses aligning heads and comparing equivalent points from different images, there is no evidence in Davidson of determining that the *dimensions* of the different images or their heads *match*. *See* Davidson ¶¶ 36, 37, 49, 97. Similarly, although Willis discloses determining whether a region of a frame buffer is the same as the last modified region, there is no evidence in Willis of determining that *dimensions* of the region of the frame buffer *match dimensions* of the last modified region. *See* Willis ¶¶ 16, 28. Nor has the Examiner provided evidence that Tani cures this deficiency or an adequate rationale to fill the gaps in the cited prior art. *See* Final Act. 7–9; Ans. 31–37.

For these reasons, we agree with Appellants that the Examiner has not established that the combination of Davidson, Willis, and Tani teaches or

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suggests the “detecting” limitation of claim 1. We reverse the Examiner’s rejection of claim 1, as well as the rejections of independent claims 8, 17, and 24 and dependent claims 2, 7, 9, 14–16, 18, and 23, which include the same deficiency. *See* App. Br. 32–36, 38. We also reverse the rejections of claims 3–6, 10–13, and 19–22, which include the same deficiency that has not been cured by Schmieder. *See* App. Br. 32–35, 37–38; Ans. 39–41; Final Act. 20–35.

DECISION

The decision of the Examiner to reject claims 1–24 is reversed.

REVERSED