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| EXAMINER |
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PARK, SUNGHYOUN

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte HIROYUKI KAWAHARA, TATSUTO SUETOMI,
MASAYOSHI MIZUNO, NAOYUKI MIYADA, KENSAKU ISHIZUKA,
and KIYOTO SHIBUYA

Appeal 2016-002342
Application 13/609,494¹
Technology Center 2400

Before JEAN R. HOMERE, JON M. JURGOVAN,
and MICHAEL J. ENGLE, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL

¹ Appellants identify the real party in interest as the Sony Computer Entertainment Inc. App. Br. 2.

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1, 2, 5, 7, and 8, which are all of the claims pending in this appeal. Claims 3, 4, 6, 9, and 10 have been cancelled. App. Br. 3. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

Appellants' Invention

Appellants' invention is directed to a plurality of storage devices (10) directly connected to one another in a daisy chain via a network (3) such that a broadcast signal emitted by a client device (20) through an antenna (2) is passed directly from one storage device (10) to another. Spec. ¶ 15, Fig. 1.

Illustrative Claim

Independent claim 1 further illustrates the invention as follows:

1. A storage system where a client device and a storage device are connected to a network, wherein the client device, which accesses the storage device, provides a user with a user interface with which the user operates the storage device, and
 - wherein the storage device has a network attached storage (NAS) function and a recording function to record a broadcast signal which the storage device receives directly from an antenna via an input on the storage device, and
 - wherein the storage device has no interface of its own with which to operate,
 - wherein an application for controlling the recording function of the storage device is installed on the client device,
 - wherein a plurality of the storage devices are connected to the network,
 - wherein the antenna is connected to an input of a first storage device, and
 - an output of the first storage device is connected directly to an input of a second storage device in order to pass the broadcast signal to the second storage device.

Prior Art Relied Upon

The Examiner relies on the following prior art as evidence of unpatentability:

| | | |
|--------|--------------------|---------------|
| Vij | US 2002/0196771 A1 | Dec. 26, 2002 |
| Tsao | US 2003/0079016 A1 | Apr. 24, 2003 |
| Adachi | US 2009/0074387 A1 | Mar. 19, 2009 |

Rejection on Appeal

Claims 1, 2, 5, 7, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Adachi, Tsao, and Vij.

ANALYSIS

We consider Appellants' arguments *seriatim* as they are presented in the Appeal Brief, pages 5–8, and the Reply Brief, pages 2–4.

Appellants argue that the proposed combination of references does not teach or suggest the output of a first storage device directly connected to the input of a second storage device to thereby pass a broadcast signal directly from the first storage device to the second device, as recited in independent claim 1. App. Br. 5; Reply Br. 2. In particular, Appellants argue because Vij's disclosure of a wireless bridge interspersed between a car that communicates via Bluetooth and a server that communicates via WLAN would require to alter the signal from one protocol to another, Vij does not teach a direct connection between the server and the car. *Id.* 6 (citing Vij ¶¶ 67, 71, Fig. 7). Accordingly, Appellants argue that Vij does not cure the admitted deficiencies of Adachi and Tsao. *Id.* 7, 8. This argument is persuasive.

At the outset, we note although the Examiner correctly identifies one of the goals of the present application as passing a broadcast signal between a first storage device and a second storage device, the claim at issue nonetheless requires that the devices be *directly connected*. Ans. 9. We agree with Appellants that the Examiner erred in finding Vij's disclosure of using a wireless bridge to transmit a broadcast signal from the car to the server teaches a direct connection between the devices regardless of whether the content being transmitted does not change. *Id.* As persuasively argued by Appellants, although the broadcast signal is passed between the devices, they are not directly connected to each other because of the intermediate wireless gateway interspersed between them for converting the signal from Bluetooth to TCP/IP protocol. App. Br. 7, 8. One of ordinary skill would not construe two devices as being directly connected to each other when an intervening device is interspersed between them to facilitate inter-communication. Because Appellants have shown at least one reversible error in the Examiner's rejection, we reverse the Examiner's rejection of claim 1, as well as claims 2, 5, 7, and 8, which recite the disputed limitations discussed above.

DECISION

We reverse the Examiner's obviousness rejection under 35 U.S.C. § 103(a) of claims 1, 2, 5, 7, and 8 as set forth above.

REVERSED