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NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			TRAN, JIMMY H	
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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* TREVOR MENSAH and STEVEN ROBINSON

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Appeal 2016-003013  
Application 13/503,482  
Technology Center 2400

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Before JOHN A. EVANS, CATHERINE SHIANG, and  
SCOTT B. HOWARD, *Administrative Patent Judges*.

SHIANG, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1–5 and 7–11, which are all the claims pending and rejected in the application.<sup>1</sup> We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

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<sup>1</sup> Claims 6 and 12, which have been written in independent form, are allowable. *See* Final Act. 11; Response dated May 6, 2015 pp. 3–6; Advisory Act. 1.

## STATEMENT OF THE CASE

### Introduction

According to the Specification, the present invention relates to communications systems. *See generally* Spec. 1. Claim 1 is exemplary:

1. A process for establishing communication between a server device connected to a network, and a client device connected to the server device through a gateway also connected to the network,
  - wherein the gateway has associated therewith a router and a plurality of connection servers through which client devices may be connected to the gateway, and
  - wherein each connection server reports its recent connections with respective client devices, and
  - wherein when a connection request for a target client device is transmitted from the server to the router, the router requests connection history of the target device from each of the plurality of connection servers associated with the gateway, each connection server reporting its connection history respective to the target client device, and the router attempts communication with the client device through the connection server with the most recent connection.

### References and Rejection

Johnson	US 2003/0084162 A1	May 1, 2003
Workman	US 2010/0322214 A1	Dec. 23, 2010

Claims 1–5 and 7–11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson and Workman.

## ANALYSIS

We have reviewed the Examiner's rejection in light of Appellants' contentions and the evidence of record. We concur with Appellants' contention that the Examiner erred in finding Johnson and Workman collectively teach "wherein when a connection request for a target client device is transmitted from the server to the router, *the router requests connection history of the target device from each of the plurality of connection servers associated with the gateway, each connection server reporting its connection history respective to the target client device,*" as recited in independent claim 1 (emphasis added).<sup>2</sup> See App. Br. 7–13; Reply Br. 1–4.

The Examiner maps the claimed "plurality of connection servers" to Workmans' access points. See Final Act. 7–8. The Examiner initially cites Workman's Figure 3 and paragraphs 44–45 for teaching the italicized claim limitation. See Final Act. 8. Appellants argue, and we agree, the cited Workman portions do not teach the disputed claim limitation. See App. Br. 8–10.

In response to Appellants' arguments, the Examiner cites Workman's paragraphs 109, 111, and 112. See Ans. 7–8.<sup>3</sup> Workman explains:

[0109] This is a polling application to receive traps, poll, and store client device associations to WiFi access points across the network. *Each time a client associates with a WiFi access*

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<sup>2</sup> Appellants raise additional arguments. Because the identified issue is dispositive of the appeal, we do not reach the additional arguments.

<sup>3</sup> The Examiner also cites Workman's paragraphs 24 and 25, but does not specifically map the disputed claim limitation to such paragraphs. See Ans. 7.

*point, the access point sends an SNMP trap notifying the application about the client device. Polling of the WiFi access points, for example, every 15 minutes supplements this data with other data about the client association session. This data is processed and rolled up into a database where the data will remain active, for example for 90 days, and is archived after that, for example for 1 year.*

[0111] *A user can query the historical client session data collected by the WiFi polling application with a client device's MAC address. If the client device's MAC address was ever connected to any WiFi device in any network then the client session data can be retrieved. A user can enter the MAC address in either the 24 hour or yearly client history text box and click go to see specific information for that client. [0112] The results of the 24 hour or yearly client search will return every session seen by that specific client device in the specified time period.*

Workman ¶ 109, 111 (emphases added).

Therefore, Workman teaches “[a] user can query the historical client session data *collected by the WiFi polling application.*” Workman ¶ 111 (emphasis added). Workman further explains *the WiFi polling application* collects data in the following ways: “Each time a client associates with a WiFi access point, the access point sends an SNMP trap notifying the application about the client device. Polling of the WiFi access points, for example, every 15 minutes supplements this data with other data about the client association session.” Workman ¶ 109. As a result, under the Examiner’s mapping, the Examiner has not shown Workman teaches “wherein when a connection request for a target client device is transmitted from the server to the router, *the router requests connection history of the target device from each of the plurality of connection servers associated with the gateway, each connection server reporting its connection history*

*respective to the target client device,”* as required by claim 1 (emphases added).

Because the Examiner fails to provide sufficient evidence or explanation to support the rejection, we are constrained by the record to reverse the Examiner’s rejection of claim 1.

Independent claim 7 recites a claim limitation that is substantively similar to the disputed limitation of claim 1. *See* claim 7. Therefore, for similar reasons, we reverse the Examiner’s rejection of independent claim 7.

We also reverse the Examiner’s rejection of dependent claims 2–5 and 8–11, which depend from claims 1 and 7, respectively.

#### DECISION

We reverse the Examiner’s decision rejecting claims 1–5 and 7–11.

REVERSED