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Bejin Bieneman PLC Ford Global Technologies, LLC 2000 Town Center Suite 800 Southfield, MI 48075			WANG, JACK K	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MARK ALLAN LIPPMAN,
MANGALA A. JAYASURIYA, JAYANTHI RAO,
and ERIC H. WINGFIELD

Appeal 2018-002189
Application 14/533,443¹
Technology Center 2600

Before MICHAEL J. STRAUSS, IRVIN E. BRANCH, and
MICHAEL J. ENGLE, *Administrative Patent Judges*.

ENGLE, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) from a final rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

Technology

The application relates to “[a]n alarm system for a vehicle, such as a bicycle, [that] includes a touch sensor electrically connected to a vehicle frame” outputting “an alarm signal based on a proximity of a person to the vehicle frame.” Spec. Abstract.

¹ According to Appellants, the real party in interest is Ford Global Technologies, LLC. App. Br. 2.

Illustrative Claim

Claim 1 is illustrative and reproduced below with the limitations at issue emphasized:

1. An alarm system comprising:

a touch sensor electrically connected to a vehicle frame coated with an electrically conductive material, wherein the touch sensor is configured to output an alarm signal based on a proximity of a person to the vehicle frame;

a communication module configured to receive signals from a remote device; and

a controller programmed to selectively enable and disable the touch sensor in response to signals received from the remote device.

Rejections

Claims 1–3 and 7–9 stand rejected under 35 U.S.C. § 103(a) as obvious over the combination of Zhang (CN 203921015 U; Nov. 5, 2014) and Lee et al. (US 2015/0291254 A1; Oct. 15, 2015). Final Act. 2.

Claims 4–6 stand rejected under 35 U.S.C. § 103(a) as obvious over the combination of Zhang, Lee, and Alameh et al. (US 2010/0167783 A1; July 1, 2010). Final Act. 4.

Claims 10–12 and 16–20 stand rejected under 35 U.S.C. § 103(a) as obvious over the combination of Zhang, Lee, and Holtrop (US 6,060,982; May 9, 2000). Final Act. 5.

Claims 13–15 stand rejected under 35 U.S.C. § 103(a) as obvious over the combination of Zhang, Lee, Holtrop, and Alameh. Final Act. 8.

ISSUE

Did the Examiner err in finding Lee teaches or suggests “a touch sensor electrically connected to a vehicle frame coated with an electrically conductive material,” as recited in claim 1?

ANALYSIS

Claim 1 recites “a touch sensor electrically connected to a vehicle *frame coated with an electrically conductive material.*” Independent claims 10 and 19 recite commensurate vehicle frames coated with an electrically conductive material but more specifically identify the vehicle as a “bicycle.”

The Examiner finds that Lee discloses “the touch sensor is incorporated into the *handlebar.*” Ans. 3 (citing Lee ¶ 51) (emphasis added).

Appellants argue that the broadest reasonable interpretation of a bicycle “frame” *excludes* components such as handlebars. App. Br. 5–6, 8–9. Appellants provide various extrinsic evidence demonstrating that the “frame” is a separate component from handlebars. *Id.* at 6.

We agree with Appellants that the Examiner has failed to explain why a bicycle “frame” includes the handlebar. Although the Examiner quotes Wikipedia for describing a bicycle as “having two wheels attached to a frame” (Ans. 3), we agree with Appellants that this description fails to address whether the handlebar is part of the frame. Reply Br. 2. To the contrary, Lee itself distinguishes between “frame 11” and “handle 17.” Lee ¶ 44. Thus, the Examiner fails to show how Lee teaches or suggests “a touch sensor electrically connected to a vehicle *frame.*”

We also agree with Appellants that the Examiner fails to show a vehicle frame “coated with an electrically conductive material.” In

particular, the Examiner finds “Lee et al. teaches a vehicle frame coated with an electrically conductive material (polymer) [0051].” Final Act. 3. The cited paragraph, however, discloses “the capacitive type touch sensor 150 contains any one or more of an indium tin oxide, a conductive polymer, and a metal mesh as a material of a transparent electrode, as non-limiting examples.” Lee ¶ 51. Thus, Lee discloses the “touch sensor . . . contains . . . a conductive polymer . . . as a material of a transparent electrode,” but the Examiner fails to explain how this material within the touch sensor teaches or suggests a coating on a vehicle frame.

Accordingly, we do not sustain the rejection of independent claims 1, 10, and 19, and their dependent claims 2–9, 11–18, and 20.

DECISION

For the reasons above, we reverse the Examiner’s decision rejecting claims 1–20.

REVERSED