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EXAMINER

REDDIVALAM, SRINIVASA R

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RICH BATTISTA, JOHN W. BROSIUS, and
UDAY SHANKAR

Appeal 2018-004680
Application 15/017,598
Technology Center 2400

Before: ELENI MANTIS MERCADER, LARRY J. HUME, and
MATTHEW J. McNEILL, *Administrative Patent Judges*.

MANTIS MERCADER, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from a rejection of claims 13–28, which constitute all the claims pending in this application. Claims 1–12 have been cancelled. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

assigned to tracking units and used for regularly scheduled reports and as further described in Hladik (para.26), the RA time slots may be used by tracking units to respond to unscheduled report requests. App. Br. 7. According to Appellants, the scheduled time slots are each assigned to a particular mobile terminal and the RA time slots are assigned to mobile terminals generally. *Id.* Appellants further argue that Hladik (para. 42) indicates that the hub assigns an RA time slot to the tracking unit, and thus, both the scheduled time slots and the RA time slots are assigned to tracking units. App. Br. 8.

We do not agree with Appellants' argument. The Examiner finds, and we agree, that Hladik (Fig.4, para. 25) teaches both *scheduled time slots (SCHED. SLOTS) that are assigned to the tracking units* by the network control terminal *and random access (RA) time slots* and also teaches that the assigned slots are used by the tracking units to report position and sensor to information. Ans. 15–16. The Examiner further finds, and we agree, that Hladik (para. 26) teaches *the return channel random access (RA) slots are used by the tracking units to log into the asset tracking SATCOM network, report high priority sensor messages in a timely fashion, respond to unscheduled report requests, and respond to commands that are issued at times other than the assigned forward channel slot.* Ans. 16. Thus, we also agree with the Examiner that as per the Broadest Reasonable Interpretation of claim limitations, the above teaching of Hladik i.e., the mobile tracking units *using both the scheduled time slots (SCHED. SLOTS), that are assigned to the mobile tracking units to report position and sensor to information and the return channel random access (RA) slots that are not assigned to the mobile tracking units to respond to unscheduled report*

requests. Ans. 16. We agree with the Examiner that this is equivalent to having the feature of: analyzing activity on a communication timeslot that is assigned to mobile terminals and on a communication timeslot that is not assigned to mobile terminals, as both scheduled/assigned and unscheduled (RA)/unassigned time slots being analyzed/used by the mobile terminal to report the above mentioned functions. Ans. 16.

We further agree with the Examiner that Hladik (para. 42) also teaches that a second alternative is to reserve some slots by the hub in the return channel specifically for the transmission of unscheduled reports and these reserved slots are not yet particularly assigned to any particular tracking unit. Ans. 17. Thus, these not particularly assigned slots are still unscheduled (RA)/unassigned time slots which are used by the tracking units to respond to unscheduled report requests as mentioned by Hladik in paragraph 26. *Id.* Thus, Hladik teaches that the mobile terminals “analyze activity . . . on a communication timeslot that is not assigned to mobile terminals” as recited in claim 13. *Id.*

Thus, we affirm the Examiner’s rejection of claim 13 and, for the same reasons, the Examiner’s rejections of claims 14–28 not argued separately.

DECISION

We affirm the Examiner’s rejection of claims 13–28.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv). *See* 37 C.F.R. § 41.50(f).

AFFIRMED