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14/467.665	08/25/2014	Joel Desire	S2181-702019(BLG-0140)	9440
79680	7590	01/31/2019	EXAMINER	
LANDO & ANASTASI, LLP A2000 One Main Street, Suite 1100 Cambridge, MA 02142			PAULINO, LENIN	
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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* JOEL DESIRE<sup>1</sup>

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Appeal 2018-006505  
Application 14/467,665  
Technology Center 2100

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Before JAMES R. HUGHES, ERIC S. FRAHM, and  
MATTHEW J. McNEILL, *Administrative Patent Judges*.

McNEILL, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from a rejection of claims 1, 3–11, and 13–20. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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<sup>1</sup> According to Appellant, the real party in interest is Schneider Electric IT Corporation. App. Br. 3.

STATEMENT OF THE CASE

*Introduction*

Appellant's application relates to software application development and deployment for mobile computing devices, particularly with respect to a user application that includes widgets for controlling physical devices in an identified space. *See* Spec. 1:6–1:8, 11:6–12:6. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A system comprising:

one or more memory elements collectively storing:

a plurality of widgets including a plurality of default identifiers; and

a plurality of identifiers of a plurality of devices associated with an identified space;

at least one processor in data communication with the one or more memory elements;

a deployment component executable by the at least one processor and configured to:

receive a request to bind the plurality of widgets to the plurality of devices; and

bind, in response to receiving the request, the plurality of widgets to the plurality of devices by replacing one or more default identifiers of the plurality of default identifiers with one or more identifiers of the plurality of identifiers,

wherein the request to bind is included in a request to deploy and the deployment component is further configured to transmit, in response to receiving the request to deploy, a user app to a mobile computing device, the user app including the

plurality of widgets and being configured to monitor and control the plurality of devices via the plurality of widgets.

*The Examiner's Rejection*

Claims 1, 3–11, and 13–20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhang (US 2015/0222691 A1; Aug. 6, 2015) and Ayyagari (US 2002/0062405 A1; May 23, 2002).

ANALYSIS

The Examiner finds the combination of Zhang and Ayyagari teaches or suggests all the limitations of independent claim 1, including that Zhang teaches “the deployment component is further configured to transmit, in response to receiving the request to deploy, a user app to a mobile computing device, the user app including the plurality of widgets,” as recited in independent claim 1. Final Act. 5–6. Appellant contends the Examiner’s combination fails to disclose the claim 1 feature of transmitting to a mobile computing device a user app that includes widgets. App. Br. 5. Appellant has persuaded us of Examiner error.

Zhang describes a hub application operating on a user device that can receive widgets for controlling physical devices. Zhang ¶¶ 13–14. In an exemplary method, the hub application detects a physical device and extracts device information that identifies the device. Zhang ¶¶ 15–17. Based on the extracted device information, the hub application receives a widget that contains template information corresponding to the physical device. Zhang ¶ 18. Then, the hub application may request and receive a template from an application server, and the widget may be rendered on the user device using the template. Zhang ¶ 32. Zhang’s hub application exists on the user device

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prior to receiving widgets and templates for use in controlling detected physical devices, contrary to the claim 1 limitation of transmitting “a user app to a mobile computing device, the user app including the plurality of widgets.”

In the Answer, the Examiner clarifies that it is not Zhang’s hub application that meets the claimed “user app,” but rather the “hub application in Zhang is an application that renders the user app (collection of widgets).” Ans. 4. We disagree with the Examiner that Zhang’s widgets collectively comprise a “user app” as recited in claim 1. Even if a widget can itself be considered an application, sending widgets to Zhang’s hub application does not meet the limitation of transmitting a single “user app including the plurality of widgets.”

The Examiner also concludes

[i]t would have been obvious to one of ordinary skills in the art to modify Zhang’s teaching of widget distribution from a manufacture to a hub application with Ayyagari’s teaching to include pre-installation packaged pre-binded with the proper values needed for the widgets to communicate with the physical device(s) and transmitting a software package to a user device.

Ans. 4–5.

The Examiner has not shown that Ayyagari teaches sending a software package to a mobile computing device as recited in claim 1. Rather, Ayyagari teaches loading a pre-installation package that includes various software applications on target computers prior to shipping the computers from a factory site to a customer site. Ayyagari ¶¶ 25–26. Accordingly, Ayyagari does not cure the deficiency of Zhang discussed above with respect to the claim 1 feature of transmitting a user app that includes widgets to a mobile computing device.

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We are, therefore, constrained to find the Examiner erred in rejecting independent claim 1, independent claims 11 and 20, which recite commensurate limitations, and dependent claims 3–10 and 13–19 for the same reasons.

#### DECISION

We reverse the Examiner's decision to reject claims 1, 3–11, and 13–20.

REVERSED