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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/234,183	08/11/2016	Shareef F. Alshinnawi	XRPS920160063-US-NP	3581
127893	7590	01/16/2020	EXAMINER	
Streets Lawfirm, PC - Lenovo (Singapore) Pte. Ltd. 20319 Corbin Creek Drive Cypress, TX 77433			BILGRAMI, ASGHAR H	
			ART UNIT	PAPER NUMBER
			2645	
			NOTIFICATION DATE	DELIVERY MODE
			01/16/2020	ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* SHAREEF F. ALSHINNAWI, GARY D. CUDAK,  
JOSEPH F. HERMAN, and J. MARK WEBER

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Appeal 2018-008218  
Application 15/234,183  
Technology Center 2600

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Before JAMES R. HUGHES, LINZY T. McCARTNEY, and  
JESSICA C. KAISER, *Administrative Patent Judges*.

McCARTNEY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant<sup>1</sup> seeks review under 35 U.S.C. § 134(a) of the Examiner's final rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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<sup>1</sup> Appellant identifies the real party in interest as Lenovo Enterprise Solutions (Singapore) Pte. Ltd. Appeal Brief 3, filed March 9, 2018 (“Appeal Br.”).

## BACKGROUND

This patent application concerns controlling access to a device. Specification ¶ 1, filed August 11, 2016 (“Spec.”). Claims 1 and 20 are independent. Claim 1 illustrates the claimed subject matter:

1. A method, comprising:

receiving, by a target device, primary input from a user or user device, wherein the primary input matches a predetermined input stored by the target device and authorizes the user or user device to access the target device;

receiving, by the target device, one or more wireless secondary signals during a time period in which the primary input is received by the target device;

storing, by the target device, the one or more wireless secondary signals;

allowing access to the target device in response to the target device receiving the primary input; and then

allowing access to the target device in response to the target device receiving a wireless secondary signal that matches at least one of the one or more stored wireless secondary signals in the absence of receiving the primary input.

Appeal Br. 24.

### REJECTIONS

Claims	35 U.S.C. §	References
1, 4–6, 8–11, 13, 17–20 <sup>2</sup>	102(a)(2)	Grimm <sup>3</sup>
2, 3, 12, 15, 16	103	Grimm, Spodak <sup>4</sup>
7, 14	103	Grimm, Taylor <sup>5</sup>

### DISCUSSION

Claim 1 recites “receiving, by the target device, one or more wireless secondary signals during a time period in which the primary input is received by the target device.” Appeal Br. 24. The Examiner found that Grimm discloses this limitation because Grimm describes “primary and secondary signals being received at the same time.” Final Office Action 2–3, mailed November 28, 2017 (“Final Act.”) (citing Grimm ¶ 12, Fig. 1); *see also* Examiner’s Answer 5–6, mailed June 12, 2018 (“Ans.”) (finding that Grimm’s “Figure 1 shows target device 12 receiving two input signals, one from mobile device 32 and [a] second from mobile key fob 34 during the same time”).

Appellant argues that the cited parts of Grimm do not disclose this limitation. *See* Appeal Br. 15. Appellant contends that although Grimm discloses “multiple possible wireless communication signals,” it “does not disclose that any of the signals (any secondary signals) are received by the target device ‘during a time period in which the primary input is received by

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<sup>2</sup> Although the heading of this rejection states that claims 1, 4–6, 8–11, 13, and 18–20 stand rejected on this ground, this ground of rejection also includes claim 17. Final Act. 2–6.

<sup>3</sup> Grimm et al. (US 2015/0109116 A1; April 23, 2015).

<sup>4</sup> Spodak et al. (US 2013/0200999 A1; August 8, 2013).

<sup>5</sup> Taylor et al. (US 2010/0136944 A1; June 3, 2010).

the target device” as required by claim 1. Reply Brief 6, filed August 13, 2018 (“Reply Br.”) (emphasis omitted).

We agree with Appellant. The parts of Grimm relied on by the Examiner for this limitation disclose that communications module 18 establishes a wireless connection with electronic devices 32, 34, but do not disclose that any of these components simultaneously receive primary input and one or more wireless signals. *See* Grimm ¶ 12, Fig. 1.

Claim 1 also recites “allowing access to the target device in response to the target device receiving the primary input; and then” “allowing access to the target device in response to the target device receiving a wireless secondary signal that matches at least one of the one or more stored wireless secondary signals in the absence of receiving the primary input.” Appeal Br. 24. The Examiner found that Grimm discloses these limitations because Grimm describes using input from either mobile device 32 or key fob 34 to control various vehicle functions. *See* Ans. 8–10 (citing Grimm ¶¶ 39, 41); *see also* Final Act. 3 (citing Grimm ¶ 41).

Appellant argues that even if the cited parts of Grimm disclose allowing access in response to receiving “primary input,” they do not disclose subsequently allowing access in response to “receiving a wireless secondary signal that matches at least one of the one or more stored wireless secondary signals in the absence of receiving the primary input.” *See* Appeal Br. 17; Reply Br. 7–8.

We again agree with Appellant. The parts of Grimm relied on by the Examiner disclose that a module can electronically communicate with mobile device 32 or key fob 34 and that key fob 34 can control vehicle functions such as locking and unlocking a door and opening a trunk. *See*

Grimm ¶¶ 39, 41. These parts of Grimm do not disclose allowing access to a target device in response to receiving a “primary input” and then allowing access to the device in response to receiving “a wireless secondary signal that matches at least one of the one or more stored wireless secondary signals in the absence of receiving the primary input” as required by claim 1.

For the above reasons, we do not sustain the Examiner’s anticipation rejection of claim 1 and the anticipation and obviousness rejections of claims 2–19, which depend from claim 1. Because the Examiner’s anticipation rejection of independent claim 20 suffers from similar flaws, we also do not sustain this rejection.

#### CONCLUSION

<b>Claims Rejected</b>	<b>35 U.S.C. §</b>	<b>References</b>	<b>Affirmed</b>	<b>Reversed</b>
1, 4–6, 8–11, 13, 17–20	102(a)(2)	Grimm		1, 4–6, 8–11, 13, 17–20
2, 3, 12, 15, 16	103	Grimm, Spodak		2, 3, 12, 15, 16
7, 14	103	Grimm, Taylor		7, 14
<b>Overall Outcome</b>				1–20

REVERSED