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14/109,495	12/17/2013	Arun K. Gupta	SKYV-P0001US-NP	5136
134449	7590	12/17/2019	EXAMINER	
Grable Martin Fulton PLLC 2709 Dublin Road Plano, TX 75094			SUN, MICHAEL Y	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ARUN K. GUPTA

Appeal 2018-008309
Application 14/109,495
Technology Center 1700

Before LINDA M. GAUDETTE, MONTÉ T. SQUIRE, and
SHELDON M. McGEE, *Administrative Patent Judges*.

McGEE, *Administrative Patent Judge*.

DECISION ON APPEAL

Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the
Examiner's decision to reject claims 41–59. Br. 12.

We have jurisdiction. 35 U.S.C. § 6(b).

We affirm.

¹ We use the word Appellant to refer to “applicant” as defined in 37 C.F.R. § 1.42. Appellant identifies the real party in interest as Skyven Technologies, LLC. Br. 1.

CLAIMED SUBJECT MATTER

The claims are directed to solar concentrators and solar concentration systems. Independent claim 41, reproduced below, is illustrative of the claimed subject matter:

41. A solar concentrator comprising:

a plurality of reflector arrays, each reflector array including a plurality of reflector elements arranged along a longitudinal axis and pivotally mounted to a pair of elongated members parallel to the longitudinal axis, where the plurality of reflector elements in each reflector array being configured to pivot simultaneously in unison;

each of the plurality of reflector arrays being mounted to rotate about the longitudinal axis independently of the other reflector arrays, where each of the plurality of reflector elements in a reflector array being configured to rotate about the longitudinal axis simultaneously in unison; and

the plurality of reflector elements of the plurality of reflector arrays being configured to be oriented to reflect and direct an incident radiation energy onto a solar receiver.

REFERENCES

The prior art relied upon by the Examiner is:

Name	Reference	Date
Hubbard	US 4,243,018	Jan. 6, 1981
Findell	US 4,317,031	Feb. 23, 1982
Gross	US 7,192,146 B2	Mar. 20, 2007
Lu	US 2007/0070531 A1	Mar. 29, 2007

REJECTIONS UNDER 35 U.S.C. § 103

- I. Claims 41–45 and 47–56 are rejected as being unpatentable over Findell in view of Gross and Hubbard.
- II. Claims 46 and 57–59 are rejected as being unpatentable over Findell in view of Gross, Hubbard, and Lu.

OPINION

Upon consideration of the evidence in this appeal and each of Appellant's arguments, we are unpersuaded of reversible error in the Examiner's rejections of claims 41–59. We, therefore, sustain these rejections based on the findings of fact and reasoning provided at pages 3–13 of the Final Office Action dated November 3, 2017, and pages 3–17 of the Examiner's Answer dated June 14, 2018. We add the following only for emphasis.

In addressing the Examiner's obviousness rejections of the independent claims, Appellant asserts that Findell does not disclose independent reflector array rotation. Br. 13–15. The Examiner, however, expressly acknowledges that Findell does not disclose this limitation (*see, e.g.*, Final Act. 3; Ans. 3), and instead relies on Gross for its teaching of a plurality of motors 130 in Figure 1 that “can be used to rotate the reflector elements.” Final Act. 4, 8. Thus, Appellant merely points out what the Examiner acknowledges is already lacking in Findell. Such arguments that focus on portions of prior art references that are not relied on by the Examiner fail to identify reversible error in the rejection.

Appellant then discusses embodiments of Gross that also are not relied on by the Examiner in reaching the obviousness determination. *Compare* Br. 15–16 (discussing features of Gross's Figures 4, 5, and 10A), *with* Final Act. 4 (explaining how “motors 130 in each row of reflectors in *figure 1* . . . can be used to rotate the reflector elements” (emphasis added)). Specifically, Appellant focuses on the “row manipulation linkage 120” depicted in Figures 4 and 5 (Br. 16), and then characterizes the linkage as an “essential feature” of Gross. Appellant, however, fails to persuasively

establish that linkage 120 is a component part of the Figure 1 embodiment relied on by the Examiner (Final Act. 4). Additionally, Appellant's argument fails to meaningfully address the Examiner's discussion of Gross's motors 130 and the Examiner's determination that the skilled artisan would have been motivated to rotate a row of reflector elements, i.e., a "reflector array," "in order to uniquely control rotations of a plurality of mirrors to maintain reflections of the direct rays of the sun from all mirrors on a receiver at the common focus." Final Act. 4; Ans. 3-4.

For these reasons, and those provided by the Examiner, we sustain Rejections I and II.

CONCLUSION

The Examiner's obviousness rejections are affirmed.

DECISION SUMMARY

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
41-45, 47-56	103(a)	Findell, Gross, Hubbard	41-45, 47-56	
46, 57-59	103(a)	Findell, Gross, Hubbard, Lu	46, 57-59	
Overall Outcome			41-59	

TIME PERIOD FOR RESPONSE

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

AFFIRMED