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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ALAN WADE COHN,
GARY ROBERT FAULKNER, JAMES A. JOHNSON,
JAMES EDWARD KITCHEN, DAVID LEON PROFT,
COREY WAYNE QUAIN, and JOHN DEGRAFFENREID DIAL IV

Appeal 2019-002224
Application 12/691,992
Technology Center 2600

Before MICHAEL J. STRAUSS, JAMES B. ARPIN, and
MICHAEL J. ENGLE, *Administrative Patent Judges*.

ENGLE, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant¹ appeals under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1, 2, 17, 18, 27, 29–32, 34–39, and 41–51, which are all of the pending claims. We have jurisdiction under 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(a). Appellant identifies iControl Networks, Inc. as the real party in interest. Appeal Br. 1.

TECHNOLOGY

The application relates to a “user-configurable controller” for “home security.” Spec. ¶ 2.

ILLUSTRATIVE CLAIM

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

1. A method comprising:

receiving, by a controller and from a sensor of a plurality of sensors, sensor information comprising a sensor type of the sensor, wherein the controller and plurality of sensors are associated with a security, monitoring, and automation (SMA) system;

determining, by the controller and based on the sensor information, a zone associated with the sensor, wherein the zone is associated with a zone type;

receiving, by the controller, a user input indicating a zone function profile of a plurality of zone function profiles, wherein the plurality of zone function profiles are associated with the zone type of the zone; and

executing, by the controller and in response to receiving a signal from the sensor, a function based on the sensor type of the sensor and the zone function profile of the plurality of zone function profiles.

REFERENCES

The Examiner relies on the following references:

Baum	US 2009/0165114 A1	June 25, 2009
Bourke-Dunphy	US 6,918,112 B2	July 12, 2005
Sefton	US 7,119,674 B2	Oct. 10, 2006

REJECTIONS

Claims 1, 17, 29–31, 34–37, and 41–51 stand rejected under 35 U.S.C. § 103 as obvious over the teachings of Sefton. Final Act. 2.

Claims 2 and 18 stand rejected under 35 U.S.C. § 103 as obvious over the combined teachings of Sefton, Bourke-Dunphy, and Baum. Final Act. 17.

Claims 27, 32, and 39 stand rejected under 35 U.S.C. § 103 as obvious over the combined teachings of Sefton and Baum. Final Act. 20.

Claim 38 stands rejected under 35 U.S.C. § 103 as obvious over the combined teachings of Sefton and Bourke-Dunphy. Final Act. 24.

ISSUES

Did the Examiner err in finding Sefton teaches or suggests the following limitations recited in claim 1:

- 1) “receiving, . . . from a sensor . . . , sensor information comprising a sensor type of the sensor”;
- 2) “receiving . . . a user input indicating a zone function profile of a plurality of zone function profiles, wherein the plurality of zone function profiles are associated with the zone type of the zone”;
and
- 3) “executing, . . . in response to receiving a signal from the sensor, a function based on the sensor type of the sensor and the zone function profile of the plurality of zone function profiles”?

ANALYSIS

Sefton discloses using “cameras” to “capture[] images of the license plates” of vehicles going “to and from a secure facility.” Sefton Abstract. The license plate number then can be compared to various databases to

identify, for example, an “expected visitor,” an “employee,” an authorized user of a “high-security parking lot,” or someone on a “blacklist.” *Id.* Then, “depending at least in part on the location of the camera that captured the LPN [i.e., license plate number] and whether the vehicle’s LPN is listed in one or more of the above-listed databases, the processor controls the actuation of various barriers or such like devices to allow ingress to and egress from various locations defined throughout the site.” *Id.* Sefton also discloses that other types of sensors can be used both to detect the presence of a vehicle (e.g., “a magnetic sensor embedded in the pavement”) and to identify a vehicle (e.g., “optically readable passive tags” such as “RF tags”). *Id.* at 4:63–66, Abstract.

Appellant argues Sefton fails to teach or suggest three limitations in claim 1. We are not persuaded by Appellant’s arguments for the reasons discussed below.

First, claim 1 recites “receiving, . . . from a sensor . . . , sensor information comprising a sensor type of the sensor.”

Appellant argues that “the cited portions of Sefton describe only that a camera captures an image of the license plate and that a time-stamp, camera identifier, and other pertinent information are associated with the image of the plate” and that “the camera identifier may be a TCP/IP address of the camera,” but “Sefton provides no indication that the camera transmits the camera identifier.” Appeal Br. 4. Appellant further argues that “a TCP/IP address does not comprise a ‘sensor type.’” Reply Br. 3.

Although we agree with Appellant that a TCP/IP address is not a “sensor type,” we are not persuaded by Appellant’s conclusory assertion that Sefton’s system might somehow identify the camera with no identifying

input from the camera itself. The rejection is for obviousness, not anticipation, and Appellant fails to address the Examiner's larger point that Sefton discloses both multiple cameras and other types of sensors in addition to cameras and "[i]t would have been obvious to one of ordinary skill in the art for the camera identifier to identify the camera in order to differentiate itself from other vehicle presence sensors that may be used." Final Act. 3 (citing Sefton 4:63–5:7); *see also* Ans. 3–4. For example, Sefton discloses:

In a preferred embodiment . . . , the presence of a vehicle is sensed by any one of the cameras In other embodiments, the physical presence of a vehicle is sensed by a vehicle presence trigger or sensor, such as a magnetic sensor embedded in the pavement or an infrared sensor. . . . [E]ither or both types of triggering may be used to initiate a sequence of events as described below

Sefton 4:60–5:7. Similarly, Sefton discloses using multiple types of sensors to identify which vehicle is approaching. For example, "[w]here a vehicle does not display a license plate, an alternative passive tag will be issued by the facility and read in the same manner." *Id.* at 3:18–20; *see also id.* at 2:22–24 ("The invention is an event-driven system activated by a camera reading a license plate and/or a temporary passive tag").

"A person of ordinary skill is also a person of ordinary creativity, not an automaton." *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 421 (2007).

Here, absent further argument or evidence from Appellant, we agree with the Examiner that it would have been obvious for Sefton's "camera identifier" to include a sensor type sent by Sefton's camera in order to distinguish a particular camera from Sefton's other types of sensors.

Second, claim 1 recites “receiving . . . a user input indicating a zone function profile of a plurality of zone function profiles, wherein the plurality of zone function profiles are associated with the zone type of the zone.”

Appellant argues that Sefton’s “event types” defined by the user fail to teach or suggest this limitation. Appeal Br. 5. Further, Appellant argues that the Examiner “has improperly divorced the subject feature ‘a user input indicating a zone function profile of a plurality of zone function profiles’ from” the limitation “the plurality of zone function profiles are associated with the zone type of the zone.” *Id.* at 8. However, Appellant’s argument fails to define the term “zone function profile,” point to any description of a “zone function profile” in the Specification, or explain *why* Sefton’s user-defined “event types” do not teach or suggest the claimed “zone function profile” or such profiles’ association with the zone type.

The Examiner, on the other hand, determines that “a zone function profile is interpretable as being a set of functions or steps associated with a zone type.” Ans. 4 (citing Sefton 5:48–60, 6:38–47, 2:19–22). For example, the Examiner identifies “comparing the license plate information with numbers stored in one of two databases . . . as one zone function profile” and “to check for whether or not the captured license plate number is on a blacklist” as an “alternative zone function profile.” *Id.* “Because each zone may be a different type of zone, e.g. a visitor parking lot, a high security parking lot, etc., each function profile is thus associated with the zone type of the zone.” Final Act. 4; *see also* Sefton Fig. 2.

Appellant counters that “the cited portions of Sefton describe that an event is defined according to a location of an event trigger at the site (e.g., detecting a vehicle in a video image or via a magnetic sensor at the

location)” and that the two steps the Examiner points to “are not themselves ‘events’ or ‘event types,’ . . . but are both constituent steps of a single event or event type.” Reply Br. 4.

We agree with the Examiner that Sefton teaches or suggests a user defining different types of zones (e.g., a visitor parking lot vs. a high security parking lot) associated with different zone function profiles, including different functions within the same zone. Although the Specification of the present application does not appear to use the word “profile,” it does provide an example dividing sensors up into groups by zone function (e.g., a “Zone Function” of “Entry/Exit”; “Perimeter”; or “24-Hour Fire”) with a different action if a particular sensor in a particular zone is triggered (e.g., “Allow exiting the home domain when the system is arming” or permit “an entry delay when opened if the system is armed” for the “Entry/Exit” zone function, compared to “Generate an immediate fire alarm if triggered” for the “24-Hour Fire” zone function). Spec. ¶¶ 99–100, Table 1.

Sefton teaches or suggests such an interpretation of the claim language. In particular, Sefton discloses “site-access control actions based upon the different event types as defined by the user.” Sefton 2:19–22. Even within any one location (e.g., one specific high security parking lot), the user can program different functions such as detection of a vehicle by “a vehicle presence trigger or sensor, such as a magnetic sensor embedded in the pavement or an infrared sensor,” which triggers a camera to capture a license plate number. *Id.* at 4:60–5:7. Then, “once the presence of a vehicle has been detected, the subsequent processing steps preferably depend upon the location of the vehicle in the site,” and, more specifically, “the

processing steps are determined by identification number of the camera at the location where the vehicle is detected.” *Id.* at 5:8–16. For example, the user can program the front gate such that the barrier will open when the camera captures an image of either an employee or an expected visitor, Sefton 6:3–6, but the barrier at the entrance to the high security parking lot will only open if the camera captures an image of a license plate that is in the high security database. *Id.* at 7:49–65. Thus, Sefton teaches or suggests a user defining different zone types (e.g., front gate vs. high security parking lot) and selecting different zone function profiles for each zone type (e.g., at the front gate, the proximity sensor triggers the camera to capture an image of a license plate, and the camera triggers the license plate number detection process).

Third, claim 1 recites “executing, . . . in response to receiving a signal from the sensor, a function based on the sensor type of the sensor and the zone function profile of the plurality of zone function profiles.”

Appellant argues that “Sefton does not teach the camera or another device executing a function ‘based on the sensor type of the sensor’ . . . [n]or . . . ‘based on . . . the zone function profile of the plurality of zone function profiles.” Appeal Br. 10.

We are not persuaded by Appellant’s argument. As the Examiner points out and as discussed above, the profile for a camera for a high security parking lot triggers a different function than the profile for a camera for a visitor parking lot (e.g., permitting entry only for vehicles on the high security list vs. permitting entry for anyone on the expected visitor list) and an image is generated only because the sensor is a camera (e.g., as opposed

to a magnetic sensor in the pavement detecting the presence of a vehicle).

Ans. 5; Final Act. 5.

Accordingly, we sustain the Examiner's rejection of claim 1, and of claims 2, 17, 18, 27, 29–32, 34–39, 41–51, which Appellant argues are patentable for similar reasons. *See* Appeal Br. 10–11; 37 C.F.R. § 41.37(c)(1)(iv).

DECISION

The following table summarizes the outcome of each rejection:

Claims Rejected	Statute	Basis	Affirmed	Reversed
1, 17, 29–31, 34–37, 41–51	§ 103	Sefton	1, 17, 29–31, 34–37, 41–51	
2, 18	§ 103	Sefton, Bourke-Dunphy, Baum	2, 18	
27, 32, 39	§ 103	Sefton, Baum	27, 32, 39	
38	§ 103	Sefton, Bourke-Dunphy	38	
Overall Outcome			1, 2, 17, 18, 27, 29–32, 34–39, 41–51	

TIME TO RESPOND

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. § 1.36(a)(1)(iv).

AFFIRMED