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Spectrum IP Law Group LLC 558 Castle Pines Parkway, B4-362 Castle Pines, CO 80108			THAPA, SAILESH	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte NITHYANANDA S. JEGANATHAN, JAMES W. EDWARDS,
DARIA A. LOI, and DON J. NGUYEN

Appeal 2019-002657
Application 14/583,052
Technology Center 2800

BEFORE ROMULO H. DELMENDO, BEVERLY A. FRANKLIN, and
JEFFREY B. ROBERTSON, *Administrative Patent Judges*.

FRANKLIN, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the
Examiner's decision to reject claims 1–27. 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 the real party in interest as Intel
Corporation. Appeal Br. 2.

CLAIMED SUBJECT MATTER

Claim 1 is illustrative of Appellant's subject matter on appeal and is set forth below:

1. An apparatus comprising:
logic, the logic at least partially comprising hardware logic, to cause modification to a wireless power level of a wireless charging transmitter based at least in part on one or more temperature values,
wherein the one or more temperature values are to be detected by one or more sensors that are to be proximate to one or more components of a portable computing device,
wherein position of one or more fans is to be adjusted based at least in part on the one or more temperature values.

REFERENCES

The prior art relied upon by the Examiner is:

Name	Reference	Date
Stepp, III	US 6,487,463 B1	Nov. 26, 2002
Baugh	US 2009/0002939 A1	Jan. 1, 2009
Low	US 2012/0223590 A1	Sept. 6, 2012
Lim	KR 20140065090 (A)	May 29, 2014

REJECTIONS

1. Claims 1–3, 5–9, 18–20 and 22 are rejected under 35 USC §103 as being unpatentable over Lim in view of Stepp, III.

2. Claims 4, 21 and 26–27 are rejected under 35 USC §103 as being unpatentable over Lim in view of Low in further view of Stepp, III and in further view of Baugh.

3. Claims 10, 11, 14–17 and 23–24 are rejected under 35 USC §103 as being unpatentable over Lim in view of Stepp, III.

4. Claims 12 and 25 are rejected under 35 USC §103 as being unpatentable over Lim in view of Stepp, III and in further view of Low.

5. Claims 13 is rejected under 35 USC §103 as being unpatentable over Lim in view of Stepp, III and in further view of Baugh.

OPINION

For purposes of this appeal, we address separately argued claims (claims 1 and 18), and the remaining claims stand or fall with the argued claims, consistent with 37 C.F.R. § 41.37(c)(1)(iv) (2017).

Upon consideration of the evidence and each of the respective positions set forth in the appeal record, we find that the preponderance of evidence supports the Examiner's findings and conclusion that the subject matter of Appellant's claims is unpatentable over the applied art. Accordingly, we sustain each of the Examiner's rejections on appeal essentially for the reasons set forth in the Final Office Action and in the Answer, and affirm, and add the following for emphasis.

Appellant first argues that the Lim reference is not a proper reference for the reasons set forth on pages 8–9 of the Appeal Brief. We are not persuaded by such argument. We agree with the Examiner's position set forth on pages 4–6 of the Answer. Therein, the Examiner explains how the Lim reference qualifies under 102(a)(1). Lim has a publication date of May

29, 2014 and an application filing date of November 21, 2012. The present application has an effective filing date of December 24, 2014.

Appellant next argues that the machine translation provided by the Examiner (the Espacnet translation) is inconsistent with the Google translation (provided by Appellant as an attachment to the Appeal Brief), and that therefore the machine translation is not adequate evidence. Appeal Br. 12–14. We are unpersuaded by such argument. Appellant’s understanding of the Google translation as set forth at the bottom of page 13 of the Appeal Brief does not appear plausible (for example, using a fan for heat generation is incongruous). For the reasons stated by the Examiner on pages 6–7 of the Answer, we are not persuaded that the machine translation provided by the Examiner is not adequate evidence.

Appellant next argues that none of the references cited by the Examiner discloses “modification/adjustment to the position of one or more fans based on one or more temperature values.” Appellant argues that instead the Examiner cites to passages that, at best, suggest turning a fan on or off based on sensed temperatures in a conventional manner. Appeal Br. 15, 18, and 19. As the Examiner explains on pages 7, 8 and 9 of the Answer, the Examiner’s relies upon Stepp II for teaching the modification or adjustment of the position of one or more fans. See also page 6 of the Final Office Action. Hence, we are unpersuaded by this line of argument.

Appellant next argues that the Examiner's position that Lim teaches modification to fan speed is unsupported. Appellant states that at best, Lim teaches to turn the fan on and off. We are unpersuaded by this argument and refer to the Examiner’s stated response that and under the broadest

reasonable interpretation of the claim, turning a fan on or off is understood as adjustment of fan speed. Ans. 8.

With regard to claim 18, Appellant argues that the Examiner rejects this claim based upon language not present in claim 18. Appellant submits that as those with ordinary skill in the art would understand proximity to components of a wireless charging pad (e.g., sensors 120 of Lim's Figure 1) versus proximity to components of a portable computing device are very different. We are unpersuaded by this argument for the reasons stated by the Examiner on pages 9–10 of the Answer. Therein, the Examiner explains that Lim's Figure 1 shows that item 110 is a charging pad and item 120 are sensors. Thus it is clear from the figure that sensors are positioned on charging pad 110 which teaches the disclosed limitations of recited claims.

In view of the above, we affirm Rejection 1. We also affirm Rejection 2–5 for the same reasons (Appellant does not rely upon separate arguments for these rejections (Appeal Br. 19)).

CONCLUSION

We affirm the Examiner's decision.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1–3, 5–9, 18–20, 22	103	Lim, Stepp, III	1–3, 5–9, 18–20, 22	
4, 21, 26–27	103	Lim, Low, Step, III, Baugh	4, 21, 26–27	
10, 11, 14–17, 23–24	103	Lim, Stepp, III	10, 11, 14–17, 23–24	

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12, 25	103	Lim, Stepp, III, Low	12, 25	
13	103	Lim, Stepp, III, Baugh	13	
Overall Outcome			1-27	

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