#13/C

Patent *B.D.*
5·1702

Attorney's Docket No. <u>040010-490</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	**BOX AF**
	)	
Alex Krister RAITH et al.	)	Group Art Unit: 2664
	)	
Application No.: 09/399,771	)	Examiner: F. Duong
	)	
Filed: September 21, 1999	)	
	)	
For: MULTI-RATE	)	
RADIOCOMMUNICATION	)	
SYSTEMS AND TERMINALS	)	

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action issued on February 11, 2002, the Examiner's

approval is respectfully requested to amend the above-identified application as follows.

IN THE CLAIMS:

Kindly cancel claims 26-36 and 52-66 without prejudice or disclaimer.

Kindly replace claim 45 as follows.

Please
entry !!
FD
5/21/02

45.   (Twice Amended) A communication station comprising:

a processor for arranging information for transmission including providing

at least one first field in which payload information is disposed and providing at least one

second field, separate from said first field, which includes a service type identifier which

identifies a type of payload information provided in said at least one first field; and

a transmitter for transmitting information received from said processor

including said at least one first field and said at least one second field.

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 45-51 remain pending, wherein it is proposed to amend claim 45 and to cancel claims 26-44 and 52-66. Entry of these amendments is appropriate because they would not require further search and/or consideration.

Initially, Applicants would like to thank Examiner Duong for his time and courtesy during the personal interview conducted with the undersigned on May 6, 2002. The following discussion elaborates upon the issues discussed during the personal interview.

In the first and second paragraphs of the Office Action it is noted that non-elected claims 26-36 and 52-66 have not been canceled. Upon entry of the amendment above these claims will be canceled thereby addressing this concern.

In the third paragraph of the Office Action claim 45 is objected to for minor informalities. It is proposed to amend claim 45 to address this informality. Accordingly, entry of the amendment to claim 45 and withdrawal of this ground of objection is respectfully requested. It is respectfully submitted that the amendment to claim 45 does not narrow the scope of coverage of this claim, or of any element of this claim.

In the fourth paragraph of the Office Action the proposed drawing changes filed on November 21, 2001 have been approved. Accordingly, attached herewith is a Submission of Formal Drawings incorporating the approved drawing changes.

In the fifth paragraph of the Office Action claims 45-51 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,757,813 to Raith

Prior to addressing this ground of rejection in detail, a brief description of the present invention is presented to highlight advantageous characteristics thereof.

The present invention is directed to radiocommunications systems, and more particularly to methods and apparatus for identifying the type of payload information in a transmission payload. As commercial radiocommunications continues to grow, many other types of information in addition to voice information are being transmitted using radiocommunications systems. For example, in addition to voice information, video and data communications are being implemented in radiocommunications systems. Each of these types of information has different transmission characteristics, for example, the amount of channel coding required and the ability to tolerate delay. Accordingly, it would be desirable to provide sufficient flexibility in radiocommunications systems for the variety of information.

Due to the different transmission characteristics associated with the different types of information, it would be desirable to provide an ability for a transmitter to be able to inform a receiver of the type of information in a transmission payload. One conventional technique for identifying the type of information in a transmission payload is to employ call control signaling over the Fast Associated Control Channel (FACCH) to identify which type of instantaneous service is to be supported over the channel. One technique for discriminating between different types of information in a transmission payload on a slot by slot basis requires a mobile station to discriminate based upon the differences in channel coding. Although discrimination based upon channel coding may be sufficient in systems

the number of different types of information expands beyond two, the complexity of

discriminating between different types of information in this manner becomes excessive.

Accordingly, the present invention overcomes the above-identified and other

deficiencies of the prior art by employing a field which identifies the type of payload

information in another field. In accordance with one embodiment of the present invention,

the fast out-of-band channel (FOC) can be employed to include a service type identifier to

identify the type of payload information in another field. By providing the service type

identifier, the present invention overcomes the complexity required of discrimination based

upon channel coding when more then two different types of information are employed in a

radiocommunications system.

Raith does not anticipate Applicants' claim 1 because Raith does not disclose or

suggest all of the elements of Applicants' claim 45. For example, Raith does not disclose

or suggest a processor for "providing at least one second field, separate from said first

field, which includes a service type identifier which identifies the type of payload

information provided in said at least one first field" as recited in Applicants' claim 45.

Raith discloses a method for achieving optimal channel coding in a communication

system. Specifically, Raith discloses a method in which the reserved field or the

CSFP/PCF field can be provided with an indication bit for indicating the type of channel

coding being used in the data field. However, Raith does not disclose a service type

identifier which *identifies a type of payload information*. Moreover, there is nothing in

Raith which explicitly or inherently discloses that the type of channel coding being used in

a processor "providing at least one second field, separate from said first field, which includes a service type identifier which identifies a type of payload information provided in said at least one first field" as recited in Applicants' claim 45.

In the Response to Arguments section of the Office Action it is asserted that since the last paragraph on page 15 of the present application describes that the FOC field can provide information regarding channel coding, that Raith's disclosure of identifying a type of channel coding anticipates the "service type identifier which identifies the type of payload information provided in said at least one first field" recited in Applicants' claim 45. However, as discussed during the personal interview, this section of Applicants' specification states that "the FOC can provide information regarding the type of service which the associated payload is currently supporting, the channel coding *and/or* interleaving associated therewith." (emphasis added). Accordingly, it is clear that the FOC field can provide information regarding three different aspects of the transmission, namely, 1) type of service, 2) channel coding, and 3) interleaving. These different aspects can be alternatives or they can all be indicated by the FOC field. However, Applicants' claim 45 recites that "at least one second field...identifies the type of payload information." Accordingly, the plain language of this claim makes clear that Applicants are claiming the use of a field to identify the type of payload information and not the type of channel coding. Therefore, it is respectfully submitted that a disclosure of the identification of the type of channel coding does not anticipate the "at least one second field" which "identifies the type of payload information" as recited in Applicants' claim 45.

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.

fastcase®
Smarter legal research.