IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gordon Bremer**	**Confirmation No.: 8306**
Application No.: 12/543,910	**Group Art Unit: 2611**
Filing Date: August 19, 2009	**Examiner: Dac V Ha**

For: System and Method of Communication Via Embedded Modulation

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY PURSUANT TO 37 CFR § 1.111

In response to the Official Action dated **September 1, 2010**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☒ **Amendments to the Specification** begin on page 2 of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 7 of this paper.
- ☒ **Amendments to the Drawings** begin on page 19 of this paper and include an attached replacement sheet.
- ☒ **Remarks** begin on page 20 of this paper.
- ☐ **Request For Refund** submitted herewith.

Amendments to the Specification:

Please replace the Summary section, which corresponds to paragraphs [0008] – [0013] of the specification, with the following:

[0008] The present invention disclosed herein includes communication systems, devices, and methods. For example, a device may be capable of communicating according to a master/slave relationship in which a communication from a slave to a master occurs in response to a communication from the master to the slave. The device may include a transceiver in the role of the master for sending transmissions modulated using at least two types of modulation methods, for example a first modulation method and a second modulation method. The first modulation method may be of a different type than the second modulation method. The transmissions may be groups of transmission sequences. A group may be structured with a first portion and a payload portion. First information in the first portion may indicate which of the first modulation method or the second modulation method is used for modulating second information in the payload portion. The transmissions may be addressed for an intended destination of the payload portion. First information in a transmission that includes an address for an intended destination may include a first sequence in the first portion that is modulated according to the first modulation method and that indicates an impending change from the first modulation method to the second modulation method. Second information in a transmission that includes an address for an intended destination may include a second sequence in the payload portion that is modulated according to the second modulation method. The second sequence may be transmitted after the first sequence.

~~**[0008]** The present invention is generally directed to a system and method of communication between a master transceiver and a plurality of tributary transceivers in a multipoint communication system in which the tributary transceivers use different types of modulation methods. Broadly stated, the communication system includes a master transceiver in communication with a first tributary transceiver and a second tributary transceiver over a communication medium. The first tributary transceiver uses a primary modulation method for communication while the second tributary transceiver uses a secondary or embedded modulation method for communication. The master transceiver and~~

~~tributary transceivers each include a processor, memory, and control logic for controlling their operation. While the primary modulation method is normally used for transmissions on the communication medium, the master transceiver can communicate with the second tributary transceiver by notifying the first tributary transceiver that the primary modulation method is being temporarily replaced by the secondary or embedded modulation method. The master transceiver can then exchange information with the second tributary transceiver while the first tributary transceiver ignores any secondary modulation transmissions. In the meantime, the first tributary transceiver conditions itself to look for a trailing sequence from the master transceiver indicating that communication with the second tributary transceiver is complete. When the master transceiver transmits the trailing sequence using the primary modulation method, the first tributary transceiver conditions itself to look for primary modulation transmissions while the second tributary transceiver conditions itself to ignore primary modulation transmissions.~~

[0009] The present invention has many advantages, a few of which are delineated hereafter as merely examples.

[0010] One advantage of the present invention is that it provides to the use of a plurality of modem modulation methods on the same communication medium.

[0011] Another advantage of the present invention is that a master transceiver can communicate seamlessly with tributary transceivers or modems using incompatible modulation methods.

~~**[0012]** Another advantage of the present invention is that a master and tributary transceiver can calculate a channel parameter using a test signal sent using embedded modulation.~~

[0013] Other features and advantages of the present invention will become apparent to one with skill in the art upon examination of the following drawings and detailed description. It is intended that all such additional features and advantages be included herein within the scope of the present invention.

Please amend paragraph [0022] of the specification as follows:

[0022] FIG. 8 ~~is a ladder diagram illustrating the operation of an alternative embodiment of the multipoint communication system of FIG. 4~~ is a signal diagram for an exemplary transmission according to an embodiment.

Please amend paragraph [0025] of the specification as follows:

[0025] Referring now to FIG. 2, an exemplary multipoint communication session is illustrated through use of a ladder diagram. This system uses polled multipoint communication protocol. That is, a master controls the initiation of its own transmission to the tribs and permits transmission from a trib only when that trib has been selected. At the beginning of the session, the master transceiver 24 establishes a common modulation as indicated by sequence 32 that is used by both the master 24 and the tribs 26a, 26b for communication. Once the modulation scheme is established among the modems in the multipoint system, The master transceiver 24 transmits a training sequence 34 that includes the address of the trib that the master seeks to communicate with. In this case, the training sequence 34 includes the address of trib 26a. As a result, trib 26b ignores training sequence 34. After completion of the training sequence 34, master transceiver 24 transmits data 36 to trib 26a followed by trailing sequence 38, which signifies the end of the communication session. Similarly, with reference to FIG. 8, the sequence 170 illustrates a Type A modulation training signal, followed by a Type A modulation data signal. Note that trib 26b ignores data 36 and trailing sequence 38 as it was not requested for communication during training sequence 34.

Please amend paragraph [0027] of the specification as follows:

[0027] The foregoing procedure is repeated except master transceiver identifies trib 26b in training sequence 48. In this case, trib 26a ignores the training sequence 48 and the subsequent transmission of data 52 and trailing sequence 54 because it does not recognize its address in training sequence 48. Master transceiver 24 transmits data 52 to trib 26b followed by trailing sequence 54 to terminate the communication session. Similarly, with reference to FIG. 8, sequence 172 illustrates a Type A modulation signal, with notification of a changes to Type B, followed by a Type B modulation data signal. To send information back to master transceiver 24, trib 26b transmits training sequence 56 to establish a communication session.

Master transceiver 24 is conditioned to expect data only from trib 26b because trib 26b was selected as part of training sequence 48. Trib 26b transmits data 58 to master transceiver 24 terminated by trailing sequence 62.

Please delete paragraphs [0042] – [0046]

~~**[0042]** In an alternative embodiment of the present invention, embedded modulations can be used as a way to measure transmission line characteristics between a master transceiver and tributary transceiver, as shown in FIG. 8. In this embodiment, both a master transceiver 64 and a tributary transceiver 66a would have the ability to transmit using at least two modulation methods, type A and type B. In the present example, the primary transmission type is type A. Thus, as shown in FIG. 8, the master transceiver 64 establishes type A as the primary modulation in sequence 150.~~

~~**[0043]** To switch from type A to type B modulation, master transceiver 64 transmits a notification sequence 152 to the tributary 66a. Thus, the tributary 66a is notified of an impending change to modulation type B. The switch to type B modulation could be limited according to a specific time interval or for the communication of a particular quantity of data, such as a test signal. After notifying the tributary 66a of the change to type B modulation, the master transceiver 64, transmits a test signal sequence 154 using type B modulation.~~

~~**[0044]** In this embodiment, the tributary transceiver can contain logic which enables the tributary 66a to calculate at least one channel parameter from the test signal sequence 154. Channel parameters typically include transmission line characteristics, such as, for example, loss versus frequency, non-linear distortion, listener echoes, talker echoes, bridge tap locations, impedance mismatches, noise profile, signal-to- noise ratio, group delay versus frequency, cross-talk presence, cross-talk type, etc. Moreover, the tributary transceiver 66a could be configured to communicate a channel parameter back to the master transceiver 64.~~

~~**[0045]** After transmitting the test signal sequence 154 to the tributary transceiver 66a, the master transceiver 64 can transmit a trailing sequence 156 to the tributary transceiver 66a using type A modulation to indicate the end of the transmission using type B modulation. The master transceiver 64 can then send information to the tributary transceiver 66a using primary modulation type A, as shown by training, data and trailing sequences 158, 160 and 162. Likewise, the tributary transceiver 66a can send information to the master transceiver 64~~

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.