

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexamination Control No. 95/000,648)	Confirmation No.: 7148
Filed: October 27, 2011)	
)	
In re Reexamination Control No. 95/002,108)	Confirmation No. 8175
Filed: August 29, 2012)	
)	
U.S. Patent No. 7,027,418)	Examiner: Pokrzywa, Joseph R.
Issued: April 21, 2006)	Art Unit: 3992
)	
For: APPROACH FOR SELECTING)	
COMMUNICATIONS CHANNELS BASED)	
ON PERFORMANCE)	
_____)	

Mail Stop INTER PARTES REEXAM
Central Reexamination Unit
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION IN INTER PARTES REEXAMINATION

Sir:

Patent Owner Bandspeed, Inc. (“Bandspeed”) responds as follows to the Office Action mailed October 3, 2013 in the above-captioned *inters partes* reexamination of Bandspeed’s U.S. Pat. No. 7,027,418 filed September 6, 2001 (the “Bandspeed Patent”).

A response to the Office Action was initially due November 3, 2013. By Bandspeed’s petition for extension of time to reply dated October 10, 2013, that was granted-in-part by petition decision dated October 16, 2013, a response to the Office Action is now due December 3, 2013. Accordingly, this response is timely filed. Reconsideration and allowance of the claims under examination, in light of the amendments and remarks presented herein, are respectfully requested.

INTRODUCTION

As of the filing of the application resulting in the Bandspeed Patent, Bandspeed was an industry leader in radio-frequency (RF) interference detection, classification, and avoidance and management technologies. The Bandspeed Patent discloses techniques, invented by Hongbing Gan, Bijan Treister, and Efstratios Skafidas while employees of Bandspeed, for managing radio interference in frequency hopping communication systems, such as the interference caused by

non-frequency hopping communication systems that use the same frequency band as the frequency hopping communication systems. The techniques disclosed by Bandspeed overcome the limitations of prior approaches that inadequately or inefficiently dealt with the transient nature of some types of radio interference such as, for example, radio interference generated by non-frequency hopping IEEE 802.11b Wireless Local Area Network (WLAN) communication devices that share the 2.4 GHz ISM band with frequency-hopping Bluetooth/IEEE 802.15.1 Wireless Personal Area Network (WPAN) devices. As supported below in detail, the claimed techniques are not taught or suggested by the cited art. Reconsideration and allowance of the claims under reexamination, in light of the amendments and remarks presented herein, are respectfully requested.

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