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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/718,016	12/18/2012	Marcos C. Tzannes	6936-47-CON-DIV-CON-3	4520
62574	7590	07/24/2014	EXAMINER	
Jason H. Vick Sheridan Ross, PC Suite # 1200 1560 Broadway Denver, CO 80202			JOSEPH, JAISON	
			ART UNIT	PAPER NUMBER
			2633	
			NOTIFICATION DATE	DELIVERY MODE
			07/24/2014	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

[jvick@sheridanross.com](mailto:jvick@sheridanross.com)

<b>Office Action Summary</b>	<b>Application No.</b> 13/718,016	<b>Applicant(s)</b> TZANNES, MARCOS C.	
	<b>Examiner</b> JAISON JOSEPH	<b>Art Unit</b> 2633	<b>AIA (First Inventor to File) Status</b> No

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 06/18/2014.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5)  Claim(s) 21-26,28-33 and 42-54 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 21-26,28-33 and 42-54 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a)  All    b)  Some\*\*    c)  None of the:
1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)  
Paper No(s)/Mail Date \_\_\_\_\_
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 4)  Other: \_\_\_\_\_

The present application is being examined under the pre-AIA first to invent provisions.

### DETAILED ACTION

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 42, 43, 46, 50, and 52 are rejected under pre-AIA 35 U.S.C. 102(a) as being anticipated by Suzuki (US 5,896,419).

Regarding claim 42, Suzuki teaches a communication device (see figure 7) comprising: a multicarrier transmitter operable to support a bit scrambler and a phase scrambler for transmission of a plurality of input bits (see figure 7), wherein the bit scrambler is operable to scramble the plurality of input bits to generate a plurality of scrambled output bits (see figure 7, component 102) and wherein the phase scrambler is operable to scramble a plurality of phases associated with the plurality of input bits (see figure 7, component 103 and 104).

Regarding claim 43, which inherits the limitations of claim 42, Suzuki further teaches wherein the multicarrier transmitter is further operable to transmit at least one scrambled output bit on a first carrier and transmit the at least one scrambled output bit on a second carrier (see figure 7).

Regarding claim 46, which inherits the limitations of claim 43, Suzuki further teaches wherein the transceiver is a wireless transceiver (see abstract).

Regarding claim 49, the method including the features corresponds to subject matter mentioned above in the rejection of claim 42 is applicable hereto.

Regarding claim 50, which inherits the limitations of claim 49, the claimed method including the features corresponds to subject matter mentioned above in the rejection of claim 43 is applicable hereto.

Regarding claim 52, which inherits the limitations of claim 49, the claimed method including the features corresponds to subject matter mentioned above in the rejection of claim 46 is applicable hereto.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44, 45, 47, 48, 51, 53, and 54 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 5,896,419).

Regarding claim 44, Suzuki in view of Suzuki et al does not expressly teach cable transceiver. However there is no criticality in these limitations. It is well known in the art that applying Suzuki et al in a cable transceiver is within the scope of one of ordinary skilled in the art.

Regarding claim 45, Suzuki in view of Suzuki et al does not expressly teach DSL transceiver. However there is no criticality in these limitations. It is well known in the art that Applying Suzuki et al in a DSL transceiver are within the scope of one of ordinary skilled in the art.

Regarding claim 47, Suzuki in view of Suzuki et al does not expressly teach high speed internet access transceiver. However there is no criticality in these limitations. It is well known in the art that Applying Suzuki et al for high speed internet access are within the scope of one of ordinary skilled in the art.

Regarding claim 48, Suzuki in view of Suzuki et al does not expressly teach the transceiver is for transporting video. However there is no criticality in these limitations. It is well known in the art that applying Suzuki et al for transporting video are within the scope of one of ordinary skilled in the art.

Regarding claim 51, the claimed multicarrier communications transceiver including the features corresponds to subject matter mentioned above in the rejection of claim 45 is applicable hereto.

Regarding claim 53, which inherits the limitations of claim 49, the claimed multicarrier communications transceiver including the features corresponds to subject matter mentioned above in the rejection of claim 47 is applicable hereto.

Regarding claim 54, which inherits the limitations of claim 49, the claimed multicarrier communications transceiver including the features corresponds to subject matter mentioned above in the rejection of claim 48 is applicable hereto.

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