

EXHIBIT 2



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/387,661	05/05/2009	Jari Lindholm	863.0099.U1(US)	2958
29683	7590	05/18/2012	EXAMINER	
HARRINGTON & SMITH 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			HAMMOND, CRYSTAL L	
			ART UNIT	PAPER NUMBER
			2819	
			MAIL DATE	DELIVERY MODE
			05/18/2012	PAPER

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.

Office Action Summary	Application No.	Applicant(s)	
	12/387,661	LINDHOLM ET AL.	
	Examiner	Art Unit	
	CRYSTAL L. HAMMOND	2819	

-- 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 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 05 March 2012.
- 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) 1-20 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- 5a) Of the above claim(s) _____ is/are withdrawn from consideration.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) 1,2,10,12 and 13 is/are rejected.
- 8) Claim(s) 3-9 and 14-20 is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 09 June 2009 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).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
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) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Claim Rejections - 35 USC § 103

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2. The following is a quotation of 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.

3. **Claims 1, 10 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Motorola (R1-081056) in view of Docomo et al. (R1-070870).

(1) regarding **Claim 1**:

Motorola discloses a method comprising:

using a processor to initialize for $i=0$ a first power control adjustment state $g(i)$ for an uplink control channel and a second power control adjustment state $f(i)$ for an uplink shared channel to each reflect an open loop power control error; and is initialized with the second power control adjustment state $f(0)$ (5.1.1 "Physical uplink shared channel": PPuschH(i); $f(i)$; $f(0)$ and item 5.1.2: "Physical uplink control channel": PPUCCH(i); $g(i)$, $g(0)$).

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Claim 1 further defines: - using the processor to compute an initial transmit power for the uplink shared channel using full pathloss compensation, wherein the initial transmit power depends on a preamble power of a first message sent on an access channel and sending from a transmitter a third message on the uplink shared channel at the initial transmit power. Motorola discloses in general the uplink power control for the physical uplink shared channel (PUSCH) and the physical uplink control channel (PUCCH) in E- UTRA communication system wherein mathematical formulas for calculating the UE transmit power P_{PUSCH} and P_{PUCCH} for a subframe i are provided.

However, Motorola does not provide details about how to calculate the initial transmission power of the PUSCH apart from giving an indication that the power control adjustment states for both channels take the value 0 for $i=0$.

Therefore, the subject-matter of claim 1 differs from Motorola in that the calculation of the initial transmit power for the uplink shared channel is provided. The solution proposed in claim 1 for calculating the initial transmit power for the uplink shared channel based on a preamble power of a first message sent on an access channel is however already disclosed in Docomo (see Pg.1, item 2.1" "Non-synchronized Random Access Channel (RACH): L2/L3 message part"), which are also dealing with transmission power control (TPC) schemes for uplink physical channels in E-UTRA uplink.

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