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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

SEE MPEP chapter 600 concerning utility patent application contents.

Attorney Docket No.	500.46531X00
First Inventor	Yoshihiro MACHIDA, et al.
Title	Multimedia Player With Plurality of Operation Panels
Express Mail Label No.	

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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1. ☒ **Fee Transmittal Form** (e.g., PTO/SB/17)
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2. ☐ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages 17]
Both the claims and abstract must start on a new page
(For information on the preferred arrangement, see MPEP 608 01(a))
4. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 11]
5. **Oath or Declaration** [Total Sheets _____]
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b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
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Signed statement attached deleting inventor(s)
Named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b)
6. ☐ **Application Data Sheet.** See 37 CFR 1.76
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Computer Program (Appendix)
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(if applicable, all necessary)
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b. **Specification Sequence Listing on:**
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c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers** (cover sheet & documents(s))
10. ☐ **37 CFR 3.73(b) Statement** ☐ **Power of Attorney**
(when there is an assignee)
11. ☐ **English Translation Document** (if applicable)
12. ☒ **Information Disclosure Statement** (PTO/SB/08
OR PTO-1449) ☒ Copies of Citations attached
13. ☐ **Preliminary Amendment**
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15. ☐ **Certified Copy of Priority Document(s)**
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Applicant must attach form PTO/SB/35 or equivalent.
17. ☒ **Other: Request for Examination and Search;
Figs. 1-13; Credit Card Payment Form**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner: _____ Art Unit: _____

19. CORRESPONDENCE ADDRESS: THE ADDRESS ASSOCIATED WITH CUSTOMER NUMBER 020457

Signature	<i>Paul J. Skwierawski</i>	Date	AUGUST 23, 2006
Name (Print/Type)	Paul J. Skwierawski	Registration No. (Attorney/Agent)	32,173

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Effective on 12/08/2004
Fee pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

Complete if Known

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First Named Inventor	Yoshihiro MACHIDA, et al.
Examiner Name	
Art Unit	
Attorney Docket No.	500.46531X00

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1000.00)

METHOD OF PAYMENT (check all that apply)

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☒ Deposit Account Deposit Account Number 01-2135 Deposit Account Name Antonelli, Terry, Stout & Kraus, LLP

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid \$
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	1000.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXTRA CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims Extra Claims Fee (\$)

11 -20 or HP = 0 x = 0

HP= highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

2 -3 or HP = 0 x = 0

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3. APPLICATION SIZE FEE

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See 35 U.S.C. 41 (a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

28 -100 0 /50= (round up to a whole number) x = 0

4. OTHER FEE (\$)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fee Paid (\$)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MACHIDA, et al.
Serial No.: Not Yet Assigned
Filed: August 23, 2006
Title: Multimedia Player With Plurality of Operation Panels

REQUEST FOR EXAMINATION AND SEARCH

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

August 23, 2006

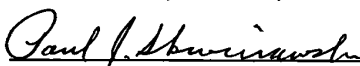
Sir:

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Please charge any shortage in the fees due in connection with the filing of this paper, including excess claim fees, to Deposit Account No. 01-2135 (500.46531X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Paul J. Skwierawski
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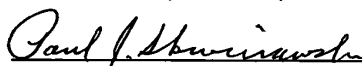
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- 1 -

MULTIMEDIA PLAYER WITH PLURALITY OF OPERATION PANELS

CROSS-REFERENCE TO RELATED APPLICATION

This application relates to and claims
priority from Japanese Patent Application NO. 2005-
248576, filed on August 30, 2005, the entire disclosure
5 of which is incorporated herein by reference.

BACKGROUND OF THE INVENTION

The present invention relates to image
rendering techniques for an apparatus which reproduces
digital contents multiplexing a plurality of contents
10 having different information, and more particularly to
image rendering techniques for reproduction control of
digital contents by using user operation interfaces.

A conventional digital broadcasting
compatible HDD/DVD decoder which is a digital content
15 reproduction apparatus requires, in addition to channel
tuning, reproduction control keys for linear contents
such as video and audio, the keys including
"reproduce", "stop", "fast forward", "fast backward",
"temporary stop" and other operation keys. The
20 apparatus further requires "up", "down", "right",
"left", "decide" and four-color keys for operation
control of data broadcasting. In order to deal with
all functions, a number of remote keys are required.
It takes learning time in order for a user master an

operation method, or there is an issue of not easy to use.

As described in JP-A-2005-73022, there is known a broadcast receiving apparatus which provides a user with illumination of a usable key of a remote controller in accordance with information on digital contents. Typical apparatus which perform reproduction control by graphical user interface (GUI) digital include a digital broadcasting compatible personal computer and a DVD reproduction compatible personal computer. In these apparatus, reproduction keys for linear contents and interactive contents are displayed on a screen and unusable keys are disabled so that it is possible to improve user easy to use performance. However, in order to display all keys, a large panel rendering area is required. Since linear contents and interactive contents are multiplexed and transmitted for digital broadcasting, these contents are also recorded in a multiplexed state.

20 SUMMARY OF THE INVENTION

The apparatus described in JP-A-2005-73022 is required to mount all keys so that a remote controller having a large area is used. Similarly, the apparatus using GUI is also required to display all keys so that a wide operation panel rendering area is used.

Information on data added digital broadcasting includes up-to-date news, weather forecast

and the like. There arises an issue of a lapse of an appreciation term, when reproduction is made.

It is therefore an object of the present invention to display automatically only usable
5 operation keys in accordance with information on digital contents. Accordingly, a user operation learning time can be shortened, since the panel rendering area is made small, a mouse motion distance can be shortened, and an easy to use performance can be
10 improved. It is an object of the present invention to provide a digital content reproduction apparatus capable of having a relatively large image display area by making small a panel rendering area. It is another object of the present invention to provide a digital
15 content reproduction apparatus capable of reproduction within an appreciation term by monitoring information on digital contents.

According to the digital content reproduction apparatus of the present invention, a plurality of user
20 operation interfaces of the same size are provided, information on digital contents is monitored, and upon occurrence of a change in the information, the user operation interfaces are automatically and exclusively displayed in the same panel rendering area so that only
25 usable operation keys can be displayed. Information on digital contents is monitored and display is controlled in accordance with digital content attributes.

According to the present invention, a

plurality of user operation interfaces of the same size are provided, information on digital contents is monitored, and upon occurrence of a change in the information, the user operation interfaces are
5 automatically and exclusively displayed in the same panel rendering area so that only usable operation keys can be displayed and a user operation learning time can be shortened.

According to the present invention, since the
10 panel rendering area is made small, a mouse motion distance can be shortened so that a user easy to use performance can be improved.

According to the present invention, since the panel rendering area is made small, the image display
15 area can be made relatively large.

According to the present invention, only information within an appreciation term can be presented by controlling the display state in accordance with information on digital contents.

20 Other objects, features and advantages of the invention will become apparent from the following description of the embodiments of the invention taken in conjunction with the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

25 Fig. 1 is a diagram showing the structure of a digital content reproduction apparatus according to an embodiment of the present invention.

Fig. 2 is an illustrative diagram showing the layout of a screen of the apparatus shown in Fig. 1.

Fig. 3 is an illustrative diagram showing a linear content operation panel of the apparatus shown
5 in Fig. 1.

Fig. 4 is an illustrative diagram showing an interactive content operation panel of the apparatus shown in Fig. 1.

Fig. 5 is a diagram showing the structure of
10 a digital content reproduction apparatus according to another embodiment of the present invention.

Fig. 6 is a diagram showing the structure of a digital content reproduction apparatus according to another embodiment of the present invention.

15 Fig. 7 is a diagram showing the structure of a digital content reproduction apparatus according to another embodiment of the present invention.

Fig. 8 is an illustrative diagram showing the layout of screens of the apparatus shown in Fig. 9.

20 Fig. 9 is a diagram showing the structure of a digital content reproduction apparatus according to another embodiment of the present invention.

Fig. 10 is a diagram showing the structure of a digital content reproduction apparatus according to
25 the embodiment of the present invention.

Fig. 11 is a diagram showing the structure of a digital content reproduction apparatus according to the embodiment of the present invention.

Fig. 12 is a diagram showing the structure of a digital content reproduction apparatus according to the embodiment of the present invention.

Fig. 13 is an illustrative diagram showing digital content attributes according to another embodiment of the present invention.

DESCRIPTION OF THE EMBODIMENTS

Embodiments of the present invention will be described in detail with reference to the accompanying drawings.

Fig. 1 is a diagram showing the structure of a digital content reproduction apparatus according to the embodiment of the present invention.

Referring to Fig. 1, the digital content reproduction apparatus records broadcast data received at a broadcast receiving unit 1 in a data record unit 3 with involvement of a data input/output control unit 2. The data input/output control unit 2 reads data from the data record unit 3 and supplies the read data via a data extraction (demultiplex) unit 4 to a content decode unit 6 which decodes the supplied data and sends the decoded data to an image rendering unit 7. A data monitor unit 5 always monitors information on digital contents in the data extraction unit 4, and in accordance with a change in the information, instructs the image rendering unit 7 to perform rendering of an user operation interface corresponding to the

information on the contents. The decoded contents and the user operation interface are superposed and output as image data by the image rendering unit 7. A user input to the displayed user operation interface from a mouse, a keyboard or a remote controller is sent to a user operation input unit 8 which transfers the user operation information to a system control unit 9. In accordance with the user operation information, the system control unit 9 controls the broadcast receiving unit 1, data input/output control unit 2, data extraction unit 4, content decode unit 6 and image rendering unit 7.

Next, description will be made on the user operation interface during digital broadcast reproduction.

Figs. 2 to 4 show image display states during digital broadcast reproduction. A monitor A1 has a content display area A2 and an operation panel display area A3. During reproduction of linear contents such as moving image contents, a linear content operation panel A4 is displayed in the operation panel display area A3, the linear content operation panel providing functions of reproduce, stop, temporary stop, fast forward, fast backward, previous skip, next skip and the like.

During reproduction of interactive contents such as data broadcast contents, an interactive content operation panel A5 is displayed in the operation panel

display area A3, the interactive content operation panel providing functions of numerical keys from 0 to 9, up/down/right/left keys, a decide key, blue/red/green/yellow keys and other keys.

5 The linear content operation panel A4 and interactive content operation panel A5 are displayed exclusively and are not displayed at the same time. The functions provided by the linear content operation panel A4 and interactive content operation panel A5 are
10 not limited to those described above, but the functions may be increased or decreased in accordance with the apparatus function.

Next, by taking Japanese terrestrial digital broadcasting as an example, description will be made on
15 a specific digital content monitoring method.

TV type services, data broadcasting services and data added TV services are defined for Japanese terrestrial digital broadcasting (Association of Radio Industries and Businesses: Terrestrial Digital
20 Television Broadcasting Operational Guideline TR-B14). Program specific information (PSI) on digital broadcasting contains a program map table (PMT). PMT contains a data encode descriptor which contains an auto_start_flag.

25 In data added TV services, if the auto_start_flag is "1", data broadcasting is automatically displayed, whereas if it is "0", data broadcasting is displayed upon instruction from a user.

The data monitor unit monitors the auto_start_flag, and when the flag becomes "1", the interactive content operation panel A5 is displayed, and when the flat becomes "0", the linear content operation panel A4 is
5 displayed.

In this embodiment, the linear content operation panel and interactive content operation panel are provided, information on digital contents is monitored, and upon occurrence of a change in the
10 information, the panels are automatically and exclusively displayed in the operation panel display area A3 of the same panel rendering area size. Accordingly, only usable operation keys can be displayed, a user operation learning time can be
15 shortened, since the panel rendering area is made small, a mouse motion distance can be shortened, and an easy to use performance can be improved. Further, since the panel rendering area is made small, the image display area can be made relatively large.

20 In this embodiment, although terrestrial digital broadcasting has been described, the embodiment is also used for reproduction of other digital contents. Also in this case, the operation panel can be switched automatically by monitoring the content
25 switching flag.

Fig. 5 is a diagram showing the structure of a digital content reproduction apparatus according to another embodiment of the present invention.

Description will be made on only different points from the description described so far.

In the above description, although data is supplied to the apparatus by using broadcasting waves, 5 in this embodiment, digital content services via a network B1 are assumed. In this case, data can be acquired via a network connection unit B2 connected to the network B1. The data input/output control unit 2 and other succeeding units are similar to those 10 described above, and the description thereof is omitted.

Fig. 6 is a diagram showing the structure of a digital content reproduction apparatus according to another embodiment of the present invention. 15 Description will be made on only different points from the foregoing description.

In the foregoing description, although data acquired by the network connection unit B2 connected to the network B1 is recorded in the data record unit 3, 20 in this embodiment, video on demand (VOD) type services are assumed and a data record unit is not provided in the reproduction apparatus. The data input/output unit 2 requests a VOD service center about necessary data via the network connection unit B2 and network B1. The 25 data input/output control unit 2 and other succeeding units are similar to those described above, and the description thereof is omitted.

Fig. 7 is a diagram showing the structure of

a digital content reproduction apparatus according to another embodiment of the present invention.

Description will be made on only different points from the foregoing description.

- 5 In the foregoing description, although data acquired by using broadcasting waves is recorded in the data record unit 3, in this embodiment, the broadcast receiving unit 1 is not provided and only data recorded beforehand in the data record unit 3 is reproduced.
- 10 This embodiment assumes an apparatus dedicated only to reproduction. The data input/output control unit 2 and other succeeding units are similar to those described above, and the description thereof is omitted.

Fig. 8 is an illustrative diagram showing the layout of screens of the apparatus shown in Fig. 9. In the foregoing description, although a single monitor is used which has both the content display area and operation panel display area, in this embodiment, a first monitor A6 has a content display area A2 and a second monitor A7 has an operation panel display area A3. If a remote controller or the like has the operation panel display area A3, the number of keys of the remote controller can be reduced. Fig. 9 is a diagram showing the structure of the digital content reproduction apparatus of this embodiment.

15 In the foregoing description, although a single monitor is used which has both the content display area and operation panel display area, in this embodiment, a first monitor A6 has a content display area A2 and a second monitor A7 has an operation panel display area A3. If a remote controller or the like has the operation panel display area A3, the number of keys of the remote controller can be reduced. Fig. 9 is a diagram showing the structure of the digital content reproduction apparatus of this embodiment.

20 In the foregoing description, although a single monitor is used which has both the content display area and operation panel display area, in this embodiment, a first monitor A6 has a content display area A2 and a second monitor A7 has an operation panel display area A3. If a remote controller or the like has the operation panel display area A3, the number of keys of the remote controller can be reduced. Fig. 9 is a diagram showing the structure of the digital content reproduction apparatus of this embodiment.

25 In the foregoing description, although a single monitor is used which has both the content display area and operation panel display area, in this embodiment, a first monitor A6 has a content display area A2 and a second monitor A7 has an operation panel display area A3. If a remote controller or the like has the operation panel display area A3, the number of keys of the remote controller can be reduced. Fig. 9 is a diagram showing the structure of the digital content reproduction apparatus of this embodiment.

A different point from the foregoing description resides in that a content rendering unit 7b and an operation panel rendering unit 7c are

independent. Other points are similar to the foregoing description, and the description thereof is omitted.

Figs. 10 to 12 show the structures that the content rendering unit 7b and operation panel rendering unit 7c
5 are made independent as different from the foregoing description. Other points are similar to the foregoing description, and the description thereof is omitted.

Figs. 10 to 12 are similar to those figures described above. In the foregoing description,
10 although the data monitor unit monitors the auto_start_flag, in this embodiment, attributes of digital contents are recorded and a data broadcasting descriptive language BML (Broadcast Markup Language) is analyzed.

15 Fig. 13 shows examples of the attributes and language analysis results. Information on data added digital broadcasting includes up-to-date news, weather forecast and the like. These contents have a nature of an appreciation term and it is difficult to consider
20 that these contents are referred to after, e.g., one month. In this embodiment, therefore, a content appreciation term is set beforehand in accordance with record days and times and information on the contents. If contents are within the appreciation term, data
25 broadcasting is not displayed even if the auto_start_flag is "1", but the linear content operation panel is displayed. If the contents are within the appreciation term and a user does not still

view the contents, the data broadcasting is
automatically displayed even if the auto_start_flag is
"0" and the interactive content operation panel is
displayed. Only new information can be presented for
5 viewing, by controlling the display state in accordance
with information on digital contents.

It should be further understood by those
skilled in the art that although the foregoing
description has been made on embodiments of the
10 invention, the invention is not limited thereto and
various changes and modifications may be made without
departing from the spirit of the invention and the
scope of the appended claims.

CLAIMS:

1. A digital content reproducing apparatus,
comprising:

a content input/output unit for input/output
control of digital contents;

a content type judging unit for judging
whether said digital contents are linear contents or
interactive contents; and

an operation panel display unit for
displaying either a linear content operation panel or
an interactive content operation panel in accordance
with a judgement result by said content type judging
unit.

2. The digital content reproducing apparatus
according to claim 1, further comprising a digital
broadcast receiving unit, wherein said digital content
input/output unit receives said digital contents from
said digital broadcast receiving unit.

3. The digital content reproducing apparatus
according to claim 2, wherein said content type judging
unit judges whether said digital contents are the
linear contents or the interactive contents, in
accordance with program identifying information
contained in said digital contents or data attribute
information on a BML descriptive language.

4. The digital content reproducing apparatus
according to claim 1, further comprising a network
connection unit, wherein said content input/output unit

receives said digital contents from said network connection unit.

5. The digital content reproducing apparatus according to claim 1, further comprising a data record unit for recording said digital contents, wherein said contents input/output unit receives said digital contents from said data record unit.

6. The digital content reproducing apparatus according to claim 1, wherein said operation panel display unit outputs, in addition to an image output of said digital contents, an image of the linear content operation panel or the interactive content operation panel.

7. A digital content reproducing apparatus for reproducing contents by displaying an operation panel of the contents on a display screen, the digital content reproducing apparatus comprising:

an input control unit for controlling the contents containing type information on the contents;

a data extraction unit for extracting content attribute information from the contents;

a data monitor unit for instructing to display an user operation interface corresponding to information on the contents, in response to a change in said content attribute information; and

an image rendering unit for performing rendering of an operation panel in accordance with an instruction from said data monitor unit.

8. The digital content reproducing apparatus according to claim 7, wherein said image rendering unit displays an operation panel of one of a linear content operation panel and an interactive content operation panel.

9. The digital content reproducing apparatus according to claim 8, wherein said image rendering unit displays a panel having functions of reproduce, stop, temporary stop, fast forward, fast backward and skip for the linear content operation panel, and displays a panel having function of numerical keys from 0 to 9, up/down/right/left keys, a decide key, and blue/red/green/yellow keys for the interactive content operation panel.

10. The digital content reproducing apparatus according to claim 7, wherein said image rendering unit displays a linear content operation panel or an interactive content operation panel in a same image rendering area.

11. The digital content reproducing apparatus according to claim 7, further comprising a user operation input unit for receiving a user operation of said operation panel, wherein said image rendering unit includes an image rendering part for displaying information on said contents and controls display of information on said contents in accordance with an operation instruction from said user operation input unit.

ABSTRACT OF THE DISCLOSURE

A digital content reproducing apparatus is provided with a plurality of user operation interfaces, e.g., a linear content operation panel and an interactive content operation panel, a data monitor unit monitors information on digital contents, and upon occurrence of a change, the plurality of user operation panels are automatically and exclusively displayed in an operation panel display area. Accordingly, only usable operation keys can be displayed, user operation learning time can be shortened, since the panel rendering area is made small, a mouse motion distance can be shortened, and easy to use can be improved. Further, since the panel rendering area is made small, the image display area can be made relatively large.

FIG. 1

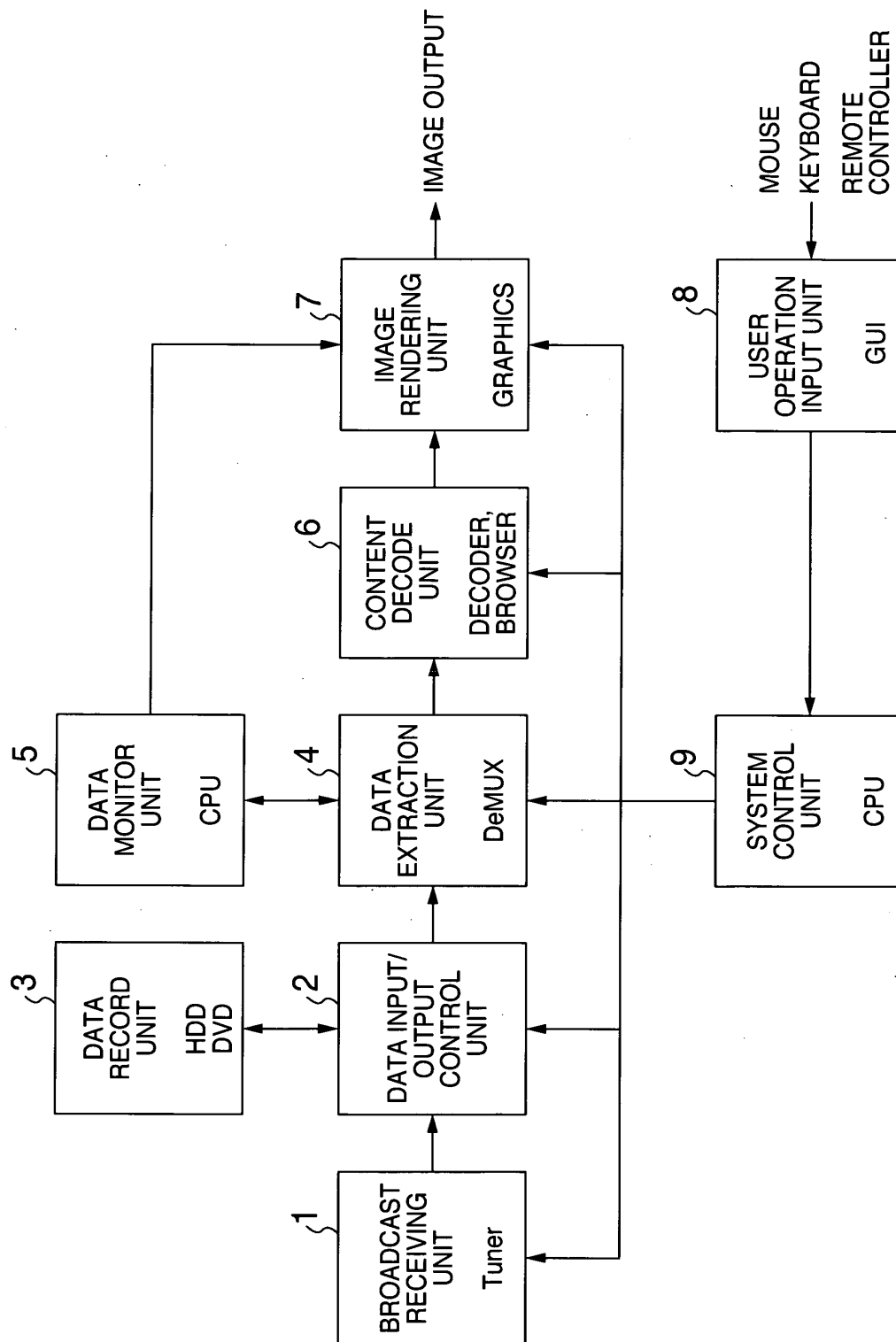


FIG. 2

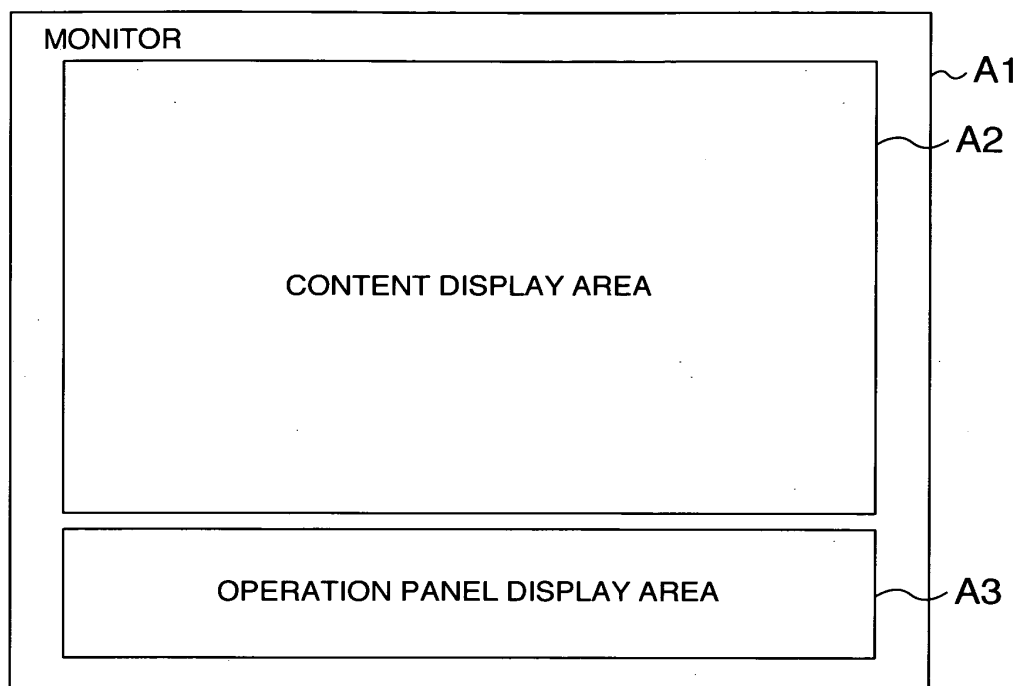


FIG. 3



FIG. 4

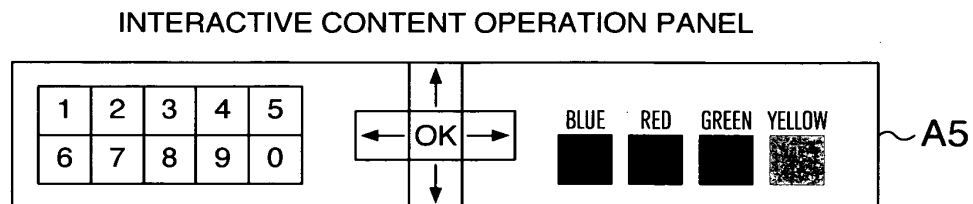


FIG. 5

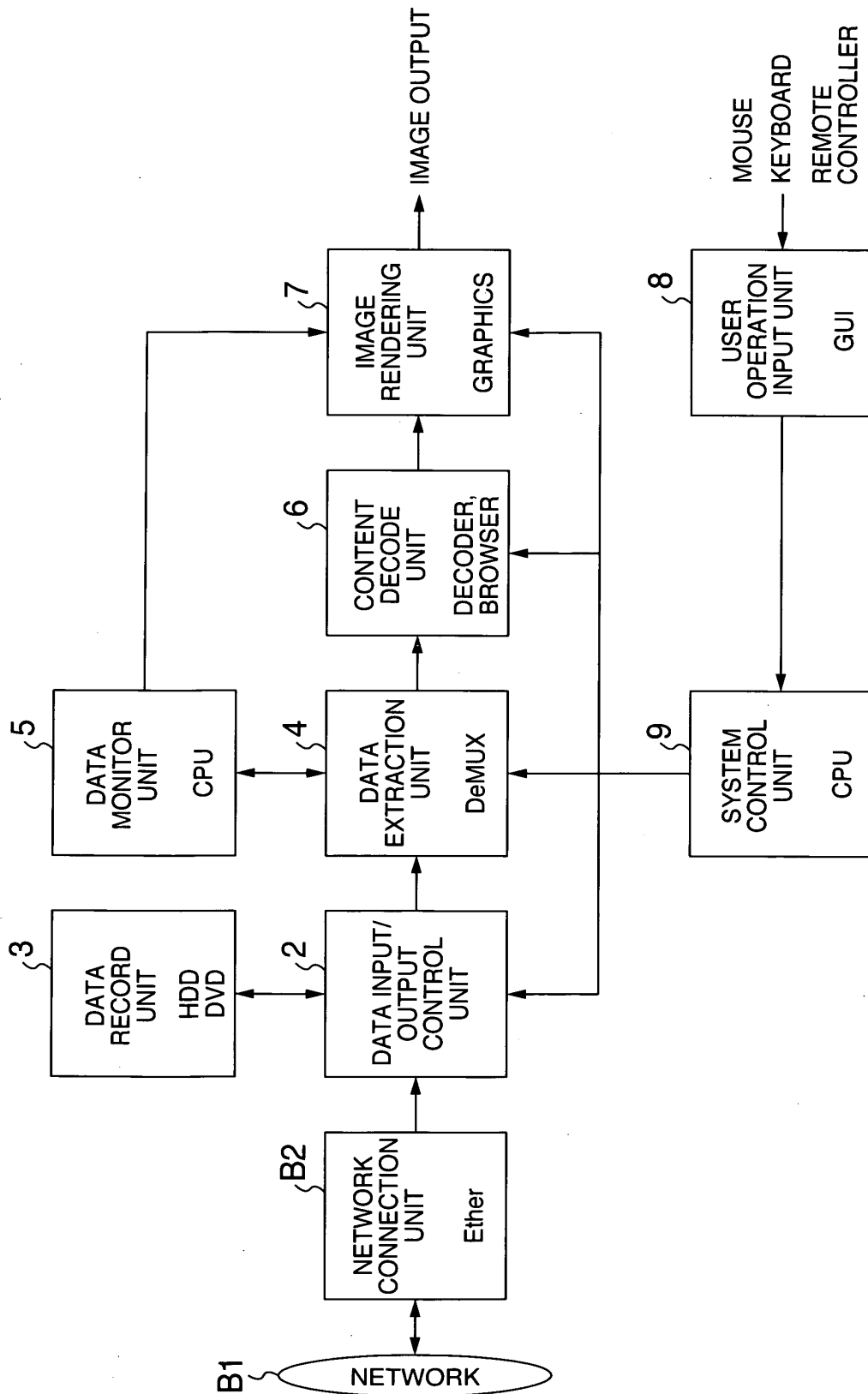


FIG. 6

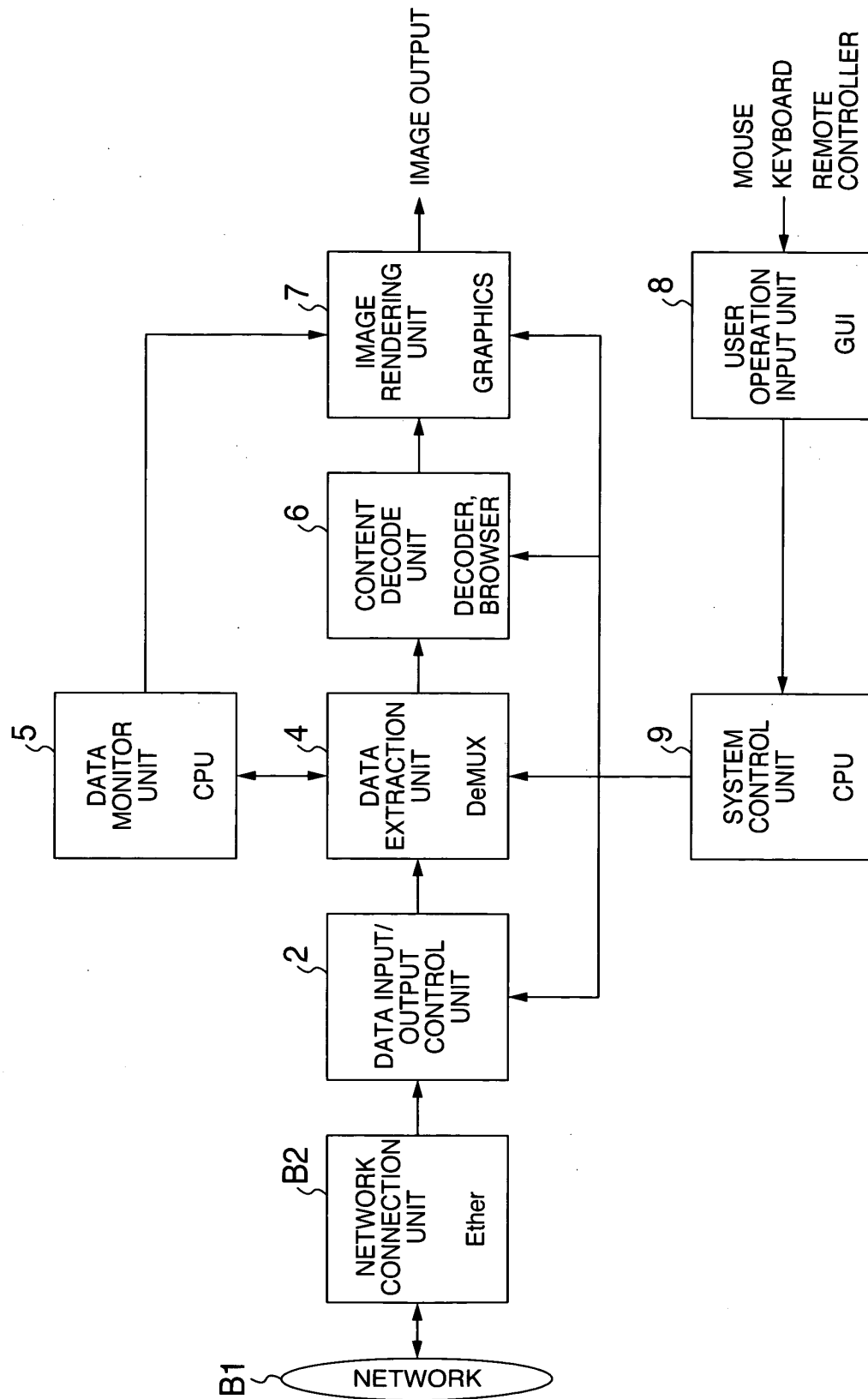


FIG. 7

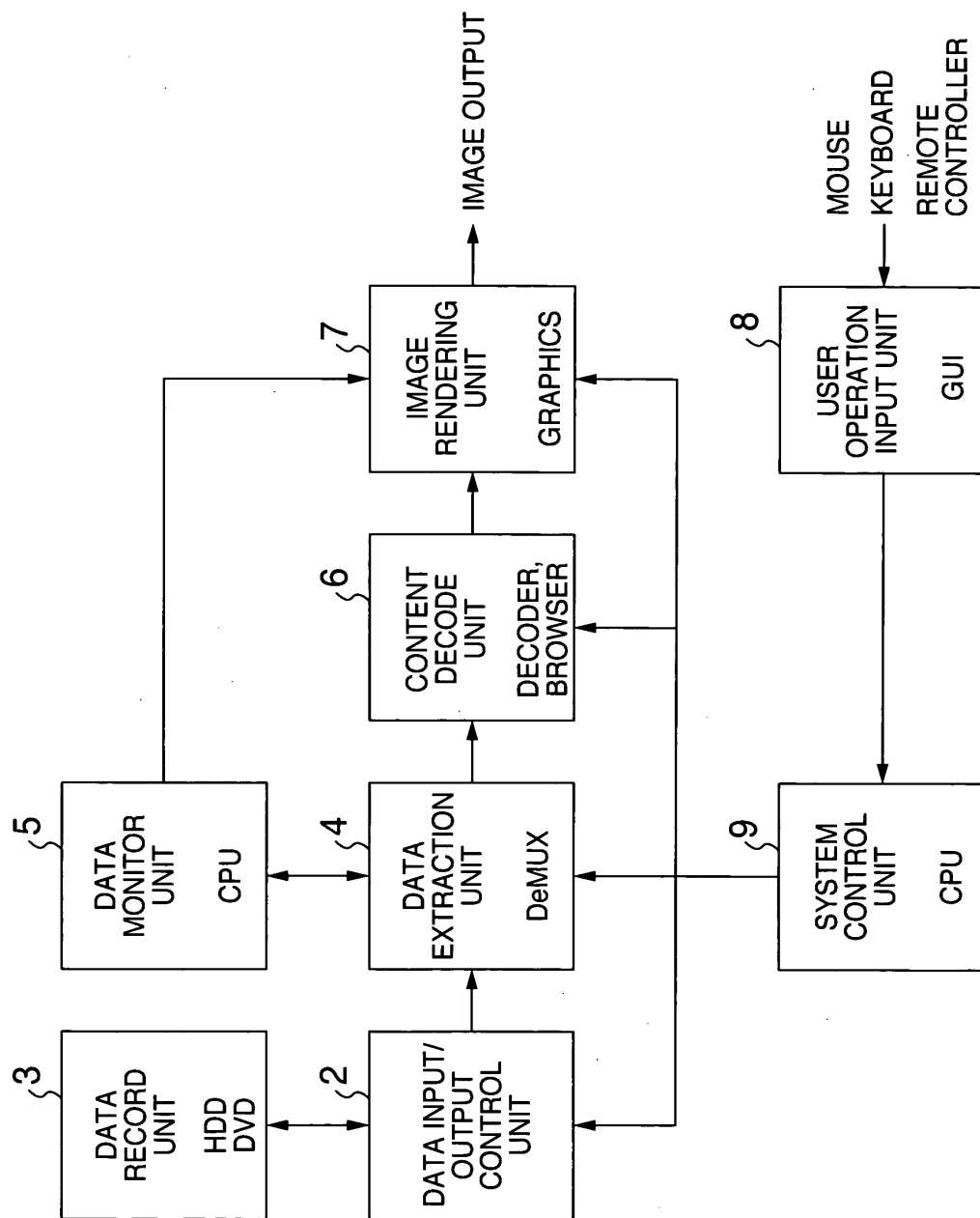


FIG. 8

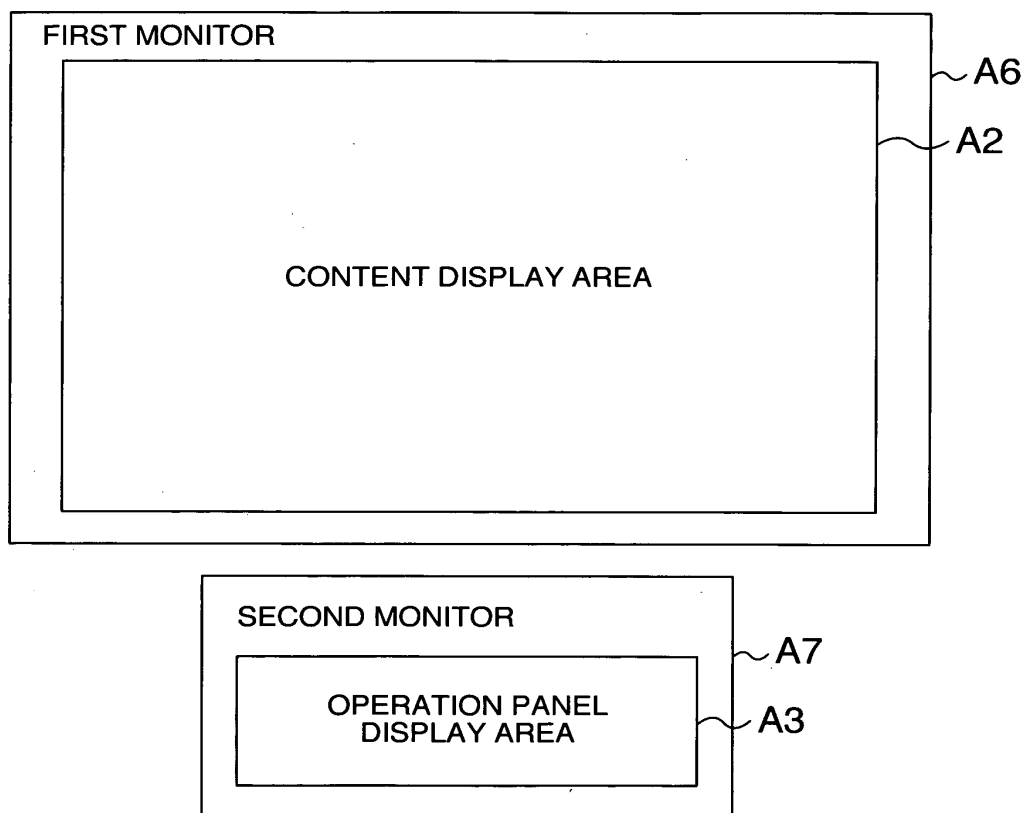


FIG. 9

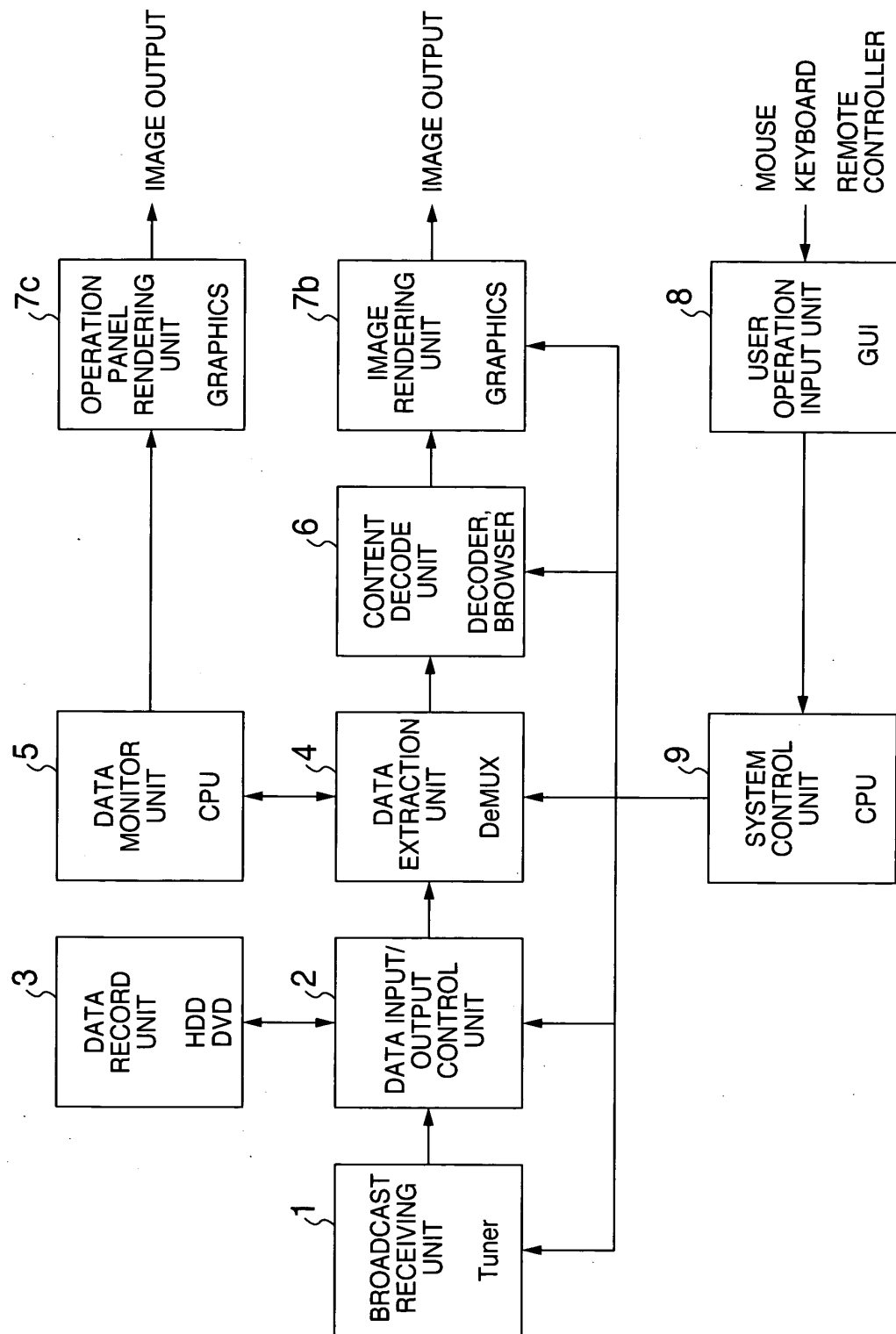


FIG. 10

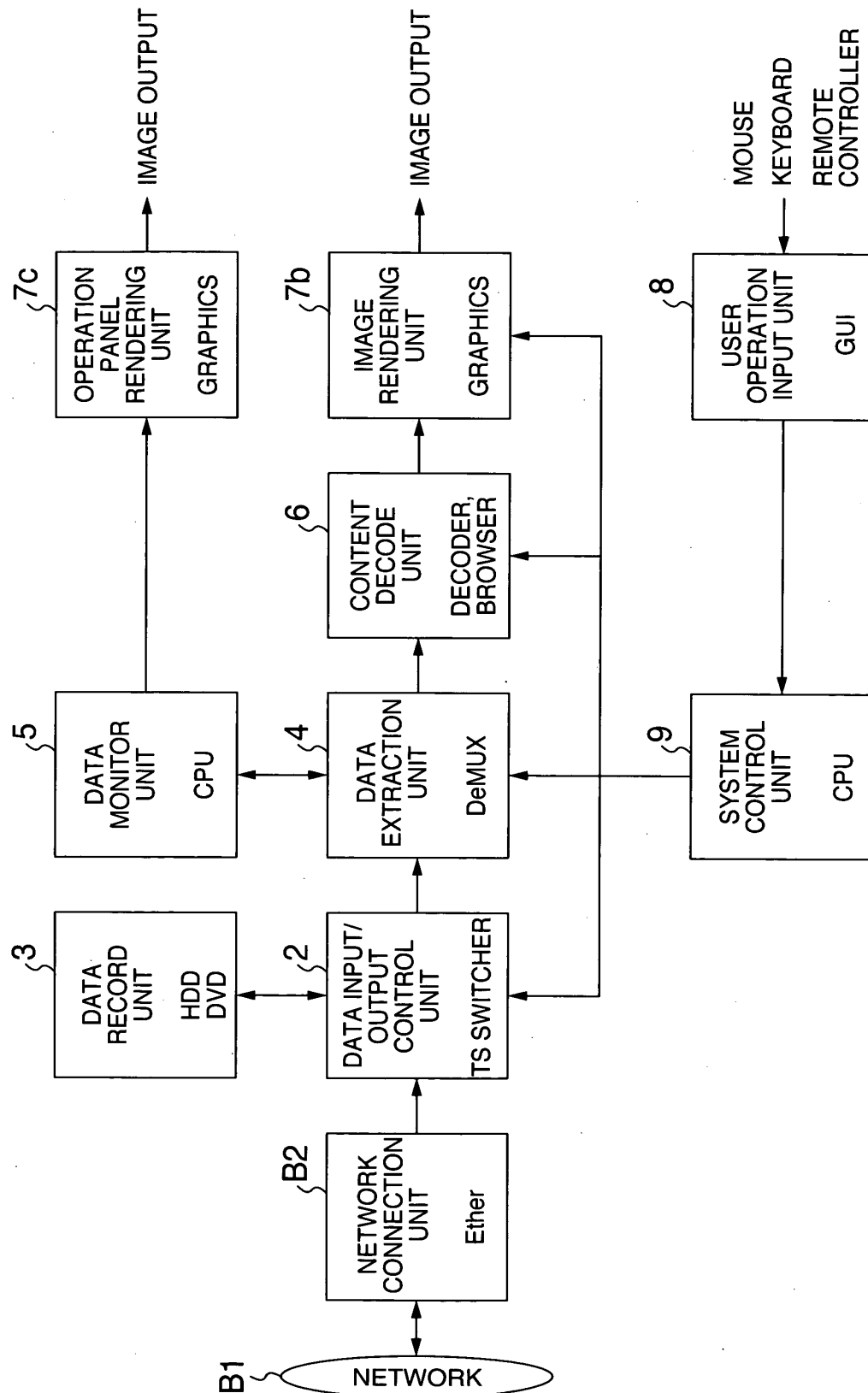


FIG. 11

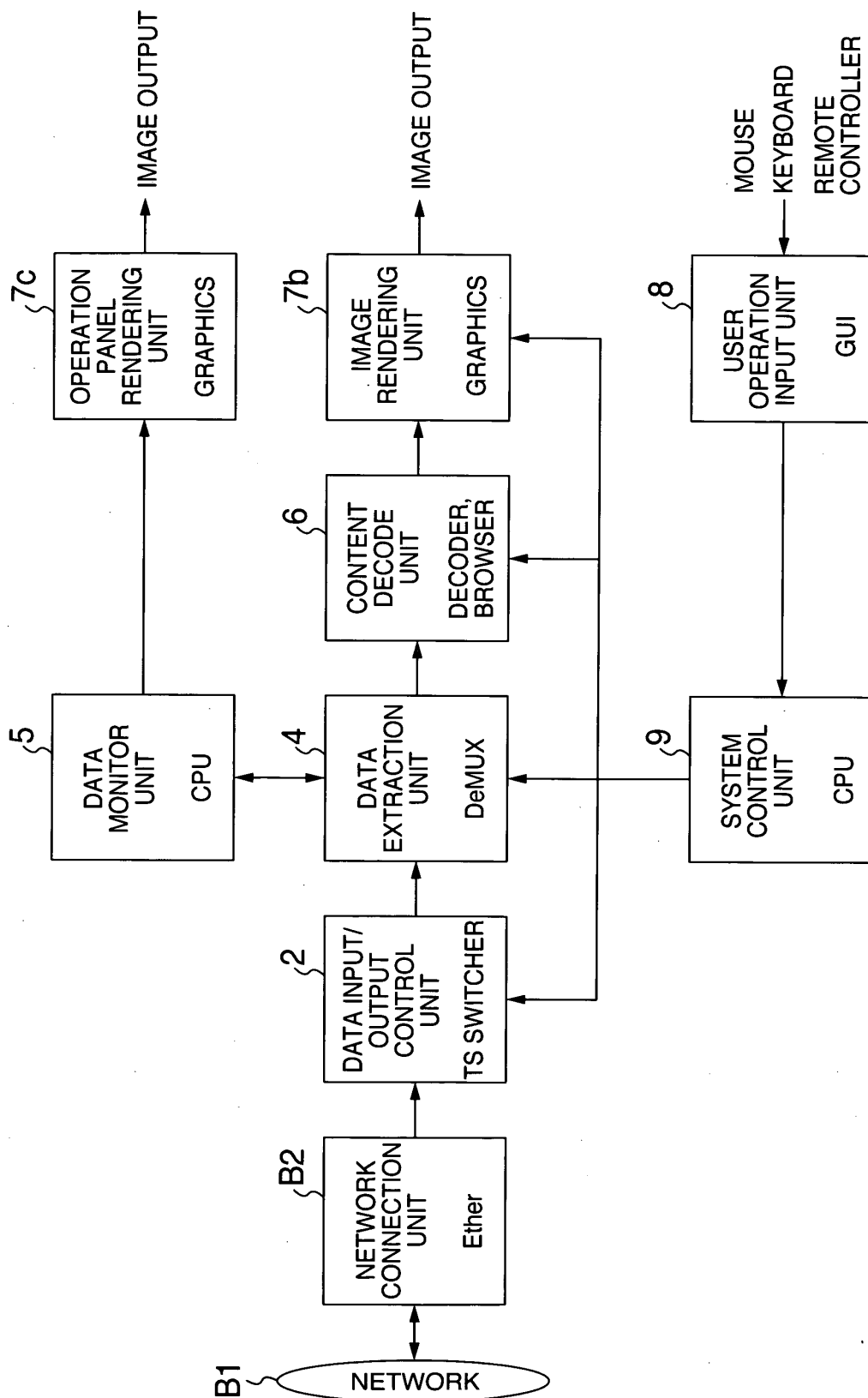


FIG. 12

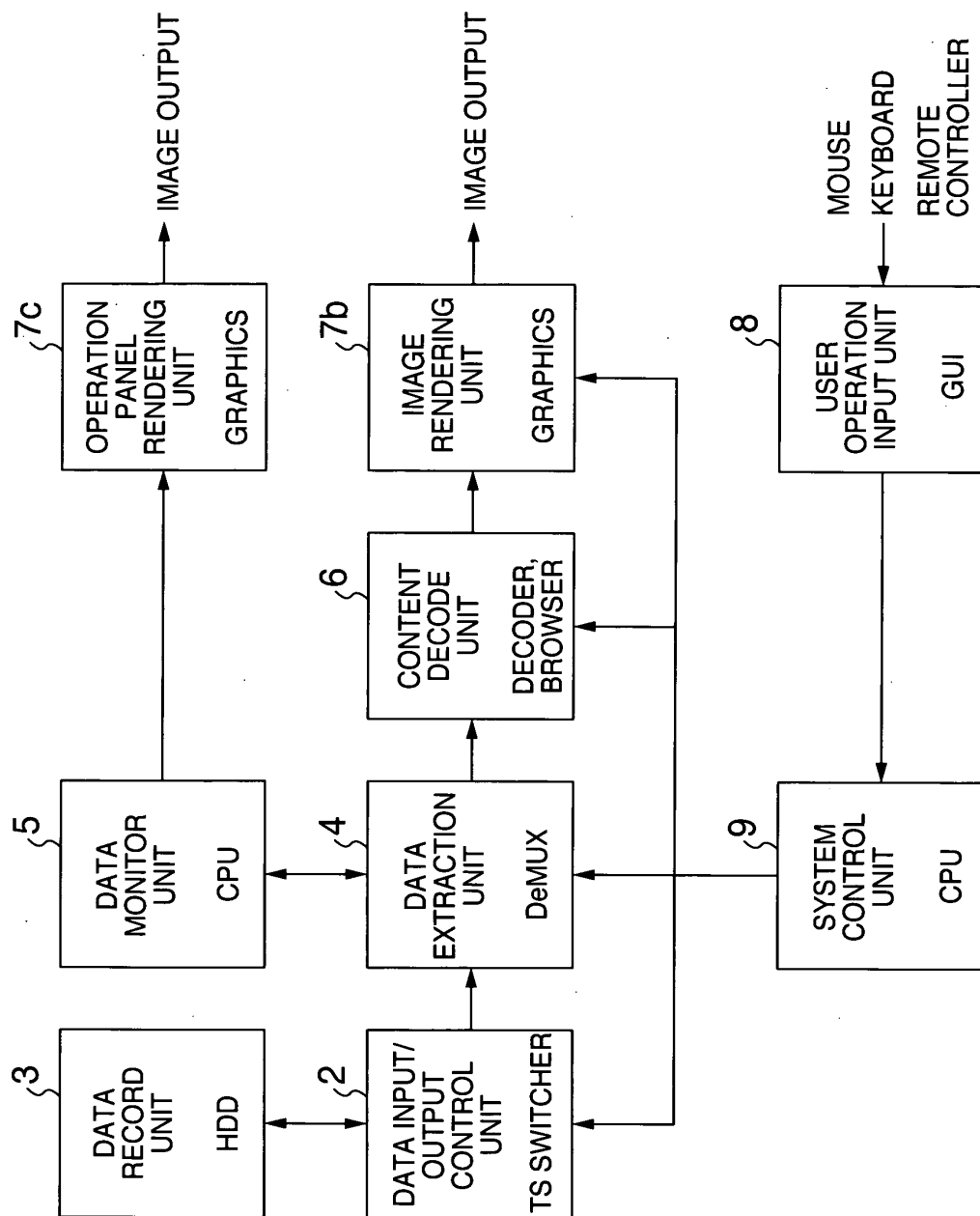


FIG.13

ITEM	CONTENTS
RECORD TIME DAY	2005/7/7
INFORMATION ON CONTENTS OF DATA BROADCAST	NEWS
APPRECIATION TERM	2005/7/14
VIEW HISTORY (IMAGE)	80 % DONE
VIEW HISTORY (DATA BROADCAST)	NONE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
20457 7590 09/28/2010 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER HARVEY, DAVID E	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 09/28/2010	DELIVERY MODE 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. 11/508,209		Applicant(s) MACHIDA ET AL.	
	Examiner DAVID E. HARVEY		Art Unit 2621	

-- 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 13 July 2010.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ 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

4) ☒ Claim(s) 1-7 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-7 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 23 August 2006 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).

11) ☐ 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

12) ☒ 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) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7/13/2010 & 8/23/2006.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

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.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art".

I. The showing of Suda et al.:

As is shown in Figure 2, Suda et al discloses a television reproduction system for receiving television program content wherein said program content includes:

- 1) Interactive television program content (i.e., non-linear content); and
- 2) "Normal" non-interactive television program content (i.e., "linear" content).

As described with respect to Figure 2 [**e.g., paragraphs 0023-0031**], the system comprises:

- 1) A television receiver (@ 200) which includes:
 - a) **A content input/output unit** (e.g., @ 201-205) [e.g., paragraphs 0023-0025];
 - b) **A control type judging unit** (e.g., @ 203, 206) for judging/determining whether the inputted program content is interactive (or, conversely non-interactive) [e.g., paragraphs 0025-0028]; and
 - c) A remote control unit (@ 100) which comprises control panel having a plurality of buttons, wherein predetermined ones of the buttons are made effective and un-effective based on whether the received program content is judged/determined to be interactive program content or "Normal"/non-interactive [e.g., paragraphs 0028-0031].

II. Differences:

Claim 1 differs from the showing of Suda et al only in that:

- 1) The content in Suda et al is not described as being digital; and
- 2) The remote control unit of Suda et al does not comprise an "operation panel display" which displays a "normal content operation panel" or an "interactive content operation panel".

III. The showing of Sasaki et al:

Sasaki et al has been cited because, as shown in Figures 1-3, it evidences the fact that it was known in the television arts to have implemented a television system remote control unit (@ 1 of Figure 1) using an **operation panel display unit** (@ touch screen panel 13 of Figures 1 and 2) wherein the display unit displays a specific one of a plurality of **operation control panels** relating only to the specific operation that was to be controlled.

IV. Obviousness:

1) The examiner maintains that the recitation of “digital” interactive and non-interactive program content was notoriously well known in the art as evidenced by applicant’s own admission of prior art (note lines 16-19 of pages 2) and, as such, has no criticality given the trend toward digital transmission schemes and the advantages thereof (e.g., no noise).

2) It would have been obvious to one of ordinary skill in the art to have modified the system disclosed by Suda et al, by replacing the remote control described Suda et al with the remote control described by Sasaki et al, to obtain the benefit thereof; i.e., namely, the ability to select and display the specific operation panel relating to the specific operation to be controlled (i.e., interactive or non-interactive); e.g., thereby avoiding the confusion of having non-effective buttons.¹

4. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant’s acknowledgement of “prior art” for the same reasons addressed above for claim 1. Additionally:

I. With respect to claim 2:

Note tuner 201 in Figure 2 of Suda et al.

II. With respect to claim 3:

In Suda et al, the receipt of interactive program content was detected via the detection of an associated interactive script,

III. With respect to claim 4:

In Suda et al, the program content is provided via a broadcast/transmission network.

¹ Such advantages of touch panel interfaces having been notoriously well known in the art (note lines 37-43 in column 4 of US Patent #5,315,999 to Kinicki et al.)

IV. With respect to claim 5:

Again, note lines 16-19 of pages 2 of applicant's own disclosure.

IV. With respect to claim 6:

While the operation panels were displayed via a touch screen of the remote, alternatively, it was well known in the art to have displayed such panels via a GUI on the TV receiver display [note lines 3-11 on page 2 of applicant's own disclosure).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 6.

6. Claims 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 7.

7. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 7. Additionally:

I. With respect to claim 9:

e.g., note Figure 3B of Sasaki et al. and Figure 4 of Suda et al. for the different ones of the plurality of operation panels which would be provided by the modified system.

8. The cited references that were not applied were cited as being illustrative of conventional interface circuitry.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. HARVEY whose telephone number is (571) 272-7345. The examiner can normally be reached on M-F from 6:00AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Peter-Anthony Pappas, can be reached on (571) 272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**/DAVID E HARVEY/
Primary Examiner, Art Unit 2621**

**DAVID E HARVEY
Primary Examiner
Art Unit 2621**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MACHIDA, et al.
Serial No.: 11/508,209
Filed: August 23, 2006
For: MULTIMEDIA PLAYER WITH PLURALITY OF OPERATION
PANELS
Group: 2621
Examiner: David E Harvey
Conf. No.: 1743

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

January 28, 2011

Sir:

In response to the Office Action dated September 28, 2010, please amend the above-identified application as listed below and as set forth on the following pages:

Amendments to the Specification

Listing of the Claims

Remarks are included following the amendments

Amendments to the Specification:

Please replace the original title with the following new title:

--MULTIMEDIA PLAYER DISPLAYING OPERATION PANEL DEPENDING ON
CONTENTS--.

Listing of the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A digital content reproducing apparatus, comprising:
a content input/output unit for input/output control of digital contents;
~~a content type judging~~ a data monitor unit for judging whether said digital
contents are linear contents or interactive contents and determining an appreciation
term of said digital contents; and

an operation panel display unit for displaying either a linear content operation
panel or an interactive content operation panel in accordance with a
~~judgement~~ judged and determined result by said ~~content type judging~~ data monitor
unit.

2. (Original) The digital content reproducing apparatus according to claim 1,
further comprising a digital broadcast receiving unit, wherein said digital content
input/output unit receives said digital contents from said digital broadcast receiving
unit.

3. (Currently Amended) The digital content reproducing apparatus according
to claim 2, wherein said ~~content type judging~~ data monitor unit judges whether said
digital contents are the linear contents or the interactive contents, in accordance with
program identifying information contained in said-digital contents or data attribute
information on a BML descriptive language.

4. (Original) The digital content reproducing apparatus according to claim 1, further comprising a network connection unit, wherein said content input/output unit receives said digital contents from said network connection unit.

5. (Original) The digital content reproducing apparatus according to claim 1, further comprising a data record unit for recording said digital contents, wherein said contents input/output unit receives said digital contents from said data record unit.

6. (Original) The digital content reproducing apparatus according to claim 1, wherein said operation panel display unit outputs, in addition to an image output of said digital contents, an image of the linear content operation panel or the interactive content operation panel.

7. (Currently Amended) A digital content reproducing apparatus for reproducing contents by displaying an operation panel of the contents on a display screen, the digital content reproducing apparatus comprising:

an input control unit for controlling the contents containing type information on the contents;

a data extraction unit for extracting content attribute information from the contents;

a data monitor unit for instructing to display an user operation interface corresponding to information on the contents, in response to a change of display type information of the user operation interface and time attribute of said contents in said content attribute information; and

an image rendering unit for performing rendering of an operation panel in accordance with an instruction from said data monitor unit.

8. (Original) The digital content reproducing apparatus according to claim 7, wherein said image rendering unit displays an operation panel of one of a linear content operation panel and an interactive content operation panel.

9. (Original) The digital content reproducing apparatus according to claim 8, wherein said image rendering unit displays a panel having functions of reproduce, stop, temporary stop, fast forward, fast backward and skip for the linear content operation panel, and displays a panel having function of numerical keys from 0 to 9, up/down/right/left keys, a decide key, and blue/red/green/yellow keys for the interactive content operation panel.

10. (Original) The digital content reproducing apparatus according to claim 7, wherein said image rendering unit displays a linear content operation panel or an interactive content operation panel in a same image rendering area.

11. (Original) The digital content reproducing apparatus according to claim 7, further comprising a user operation input unit for receiving a user operation of said operation panel, wherein said image rendering unit includes an image rendering part for displaying information on said contents and controls display of information on said contents in accordance with an operation instruction from said user operation input unit.

12. (New) The digital content reproducing apparatus according to claim 1,
wherein, when the data monitor unit judges the digital contents are linear
contents and determines the digital contents are within the appreciation term, the
operation panel display unit displays the interactive content operation panel,
when the data monitor unit judges the digital contents are linear contents and
determines the digital contents are out of the appreciation term, the operation panel
display unit displays the linear content operation panel,
wherein, when the data monitor unit judges the digital contents are interactive
contents and determines the digital contents are within the appreciation term, the
operation panel display unit displays the linear content operation panel, and
when the data monitor unit judges the digital contents are interactive contents
and determines the digital contents are out of the appreciation term, the operation
panel display unit displays the interactive content operation panel.

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

REPLACEMENT TITLE

The title has been objected to because of the Office Action concerns listed within the section numbered "1" on page 2 of the Office Action, i.e., as not being sufficiently descriptive. As the foregoing replacement title is believed to be sufficiently descriptive of the invention to which the claims are directed, reconsideration and withdrawal of the objection to the title, are respectfully requested. In the event that the present replacement title is itself found not to be sufficiently descriptive, the Examiner is herein authorized to amend to a suitable replacement title.

PENDING CLAIMS

Claims 1-11 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-12 will be pending for further consideration and examination in the application.

The amended parts are supported, for example, by page 8, line 25 to page 9, line 5, and page 12, line 8 to page 13, line 6 and Fig. 13.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of the claims is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Suda (JP-A-2005-006144) shows that available buttons on the remote controller are changed by the control signal from the TV body (Figs. 2 and 5).

Sasaki (US4,825,209) shows a remote control apparatus with a touch panel, which displays one of various control menus in response to the control signal from the control unit connected with various devices (Fig. 1). The control menu is adapted to control one of the devices via the remote control apparatus.

In contrast, **Applicant's present invention** displays the control panel with the contents on the monitor of the digital content reproducing apparatus (Fig. 2 and claim 6). The monitor is included in the operation panel display unit or the image rendering unit in the claims. The remote controller is not involved in the control panel display contrary to the cited references.

Further, Suda has a unit of determining whether the inputted program content is interactive or non-interactive. The present invention additionally checks the appreciation term of the contents by the data monitor unit. The displayed operation panel is selected according to the determined content type and the checked appreciation term (page 12, line 8 to page 13, line 6).

Applicant's clarified claims include "determining an appreciation term of said digital contents" (claim 1) and "time attribute of said contents" (claim 7). The cited references do not have the function to check such term or attribute and do not have the function to select the operation panel using the check result.

Accordingly, the present invention is different from the cited references in the place where the control panel is displayed and in the control panel selection scheme.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.46531X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Paul J. Skwierawski/
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
20457 7590 04/13/2011 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER HARVEY, DAVID E	
			ART UNIT 2481	PAPER NUMBER
			MAIL DATE 04/13/2011	DELIVERY MODE 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)	
	11/508,209	MACHIDA ET AL.	
	Examiner	Art Unit	
	DAVID E. HARVEY	2481	

-- 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 28 January 2011.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ 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

4) ☒ Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-12 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ 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).

11) ☐ 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

12) ☐ 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) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A) In claim 1, lines 4-5, the “appreciation term of said digital contents” has not been given specific meaning in the claim and/or by the instant specification and, as such, is confusing and indefinite. Appropriate clarification is needed. Similar clarification is needed for the “time attribute of said digital contents” as recited in line 10 of claim 7.

B) “Means-plus-function” recitations:

1) The examiner notes that, in addition to the “means for ...” terminology, the following non-exhaustive list of non-functional terms may likewise invoke Section 112-6:

- a) “mechanism for ...”;
- b) “module for ...”;
- c) “device for ...”;
- d) “unit for ...”;
- e) “component for ...”;
- f) “element for ...”;
- g) “member for ...”;
- h) “apparatus for ...”
- i) “machine for...”;
- j) “system for ...”;
- k) etc,...

It is noted, however, that “circuit for” has been determined to be a “structural term” that does not invoke section 112-6.

[e.g., SEE: Federal Register/Vol.76, No. 26/Wednesday, February 9, 2011 @ first full paragraph of center column on page 7167]

It is further noted that alternative expressions substituted for “for” of a “[means] for” recitation (e.g., “adapted to”, “configured to”, etc,...) are insufficient to denote structure and, as such, are insufficient to avoid triggering the presumed interpretation/construction under Section 112-6 presumption. [e.g., *Ex parte Rodriguez*, 92 USPQ2d 1395].

2) For a computer-implemented means-plus-function claim limitation that invokes 35 U.S.C. 112, sixth paragraph, the corresponding structure is required to be more than simply a general purpose computer or microprocessor.¹ The corresponding structure for a computer-implemented function must include the algorithm as well as the general purpose computer or microprocessor.² The written description of the specification must at least disclose the algorithm that transformed the general purpose microprocessor to a special purpose computer programmed to perform the claimed function.³ Applicant may express the algorithm in any understandable terms including as a mathematical formula, in prose, in a flow chart, or in any manner that provides sufficient structure.⁴

C) With respect to claim 1 (and 2-12):

1) The recited “*input/output unit*” recited in line 2 of claim 1 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. It is noted that this recited “means” appears to correspond to “block 2” of Figures 1, 5, 6, 7, 9, 10, 11, and 12 [note too: lines 18-22 of page 6]. However, the written description fails to clearly link or associate specific disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function; e.g., the disclosure does not appear to set forth the specific structure that comprises said block 2. As such, applicant is required to:

- a) Amend the claim so that the claim limitation will no longer be a means plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- b) Amend the written description of the specification such that it clearly links or associates specific structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or

¹ See *Aristocrat Technologies Inc. v. International Game Technology*, 521 F.3d 1328, 1333, 86 USPQ2d. 1235, 1239-1240 (Fed. Cir. 2008)

² See *WMS Gaming, Inc. v. International Game Technology*, 184 F.3d 1339, 51 USPQ2d. 1385 (Fed. Cir. 1999)

³ See *Aristocrat*, 521 F.3d at 1338, 86 USPQ2d. at 1243.

⁴ See *Finisar Corp. v. The DIRECTV Group Inc.*, 523 F.3d 1323, 1340, 86 USPQ2d. 1385 (Fed. Cir. 1999)

c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

2) The recited **“data monitor unit”** recited in lines 3-5 of claim 1 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. It is noted that this recited “means” appears to correspond to “block 5” of Figures 1, 5, 6, 7, 9, 10, 11, and 12. However, the written description fails to clearly link or associate specific disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function; e.g., the disclosure does not appear to set forth the specific structure/acts (e.g., the specific algorithm) that comprises said block 5. As such, applicant is required to:

a) Amend the claim so that the claim limitation will no longer be a means plus function limitation under 35 U.S.C. 112, sixth paragraph; or

b) Amend the written description of the specification such that it clearly links or associates specific structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or

c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

3) The recited **“operation panel display unit”** recited in lines 6-9 of claim 1 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. The written description, however, fails to clearly link or associate specific disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function; e.g., the disclosure does not appear to set forth the specific structure comprises this unit. As such, applicant is required to:

a) Amend the claim so that the claim limitation will no longer be a means plus function limitation under 35 U.S.C. 112, sixth paragraph; or

b) Amend the written description of the specification such that it clearly links or associates specific structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or

c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that

perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

D) With respect to claim 2 (additionally):

1) The recited “**digital broadcasting unit**” recited in lines 2-4 of claim 2 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. It is noted that this recited “means” appears to correspond to “block 1” of Figure 1. As such, this recited unit has been construed as being limited to a “digital broadcast tuner” (and equivalents thereof).

E) With respect to claim 4 (additionally):

1) The recited “**digital broadcasting unit**” recited in lines 2-4 of claim 4 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. It is noted that this recited “means” appears to correspond to “block B2” of Figure 5. As such, this recited unit has been construed as being limited to an “Ethernet” interface (and equivalents thereof).

F) With respect to claim 5 (additionally):

1) The recited “**data record unit**” recited in lines 2-3 of claim 5 is construed as being a means plus function limitation that invokes 35 U.S.C. 112, sixth paragraph, given that which is set forth above in part “B” of this paragraph. It is noted that this recited “means” appears to correspond to “block 3” of Figure 7. As such, this recited unit has been construed as being limited to an “HDD” or “DVD” drive (and equivalents thereof).

3. 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.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art".

I. Preface (e.g., with respect to the amendment filed 1/28/2011):

Claim 1 has been amended to recite a "data monitor" for:

a) Judging whether said digital contents are linear contents or interactive contents; and

b) Determining an "appreciation term" of said digital contents.

It is noted however, that the recited "appreciation term" terminology represents non-function descriptive material given that it has not been given specific meaning in the context of the claim(s); i.e., either by the claim itself or by the instant written description. As such, the examiner maintains that the recited "appreciation term" of claim 1 fairly reads on the applied prior art in that the applied "prior art" judges whether the digital contents are linear or interactive and, in response thereto, generates (i.e., "determines") a control signal (i.e., "appreciation term") that is indicative of the judgment (i.e., indicative of whether the signal was judged to be linear or interactive).

II. The showing of Suda et al.:

As is shown in Figure 2, Suda et al discloses a television reproduction system for receiving television program content wherein said program content includes:

- 1) Interactive television program content (i.e., non-linear" content); and
- 2) "Normal" non-interactive television program content (i.e., "linear" content).

As described with respect to Figure 2 [e.g., paragraphs 0023-0031], the system comprises:

- 1) A television receiver (@ 200) which includes:

a) **A content input/output unit** (e.g., @ 201-205) [e.g., paragraphs 0023-0025];

b) **A data monitor unit** (e.g., @ 203, 206) for judging whether the inputted program content is interactive (or, conversely non-interactive) and for generating/determining a control signal indicative thereof (i.e., an "appreciation term") [e.g., paragraphs 0025-0028]; and

c) A remote control unit (@ 100) which comprises control panel having a plurality of buttons, wherein predetermined ones of the buttons are made effective and un-effective based on whether the received program content is judged/determined to be interactive program content or "Normal"/non-interactive [e.g., paragraphs 0028-0031].

III. Differences:

Claim 1 differs from the showing of Suda et al only in that:

- 1) The content in Suda et al is not described as being digital; and
- 2) The remote control unit of Suda et al does not comprise an "operation panel display" which displays a "normal content operation panel" or an "interactive content operation panel".

IV. The showing of Sasaki et al:

Sasaki et al has been cited because, as shown in Figures 1-3, it evidences the fact that it was known in the television arts to have implemented a television system remote control unit (@ 1 of Figure 1) using an **operation panel display unit** (@ touch screen panel 13 of Figures 1 and 2) wherein the display unit displays a specific one of a plurality of **operation control panels** relating only to the specific operation that was to be controlled.

V. Obviousness:

- 1) The examiner maintains that the recitation of "digital" interactive and non-interactive program content was notoriously well known in the art as evidenced by applicant's own admission of prior art (note lines 16-19 of pages 2) and, as such, has no criticality given the trend toward digital transmission schemes and the advantages thereof (e.g., no noise).
- 2) It would have been obvious to one of ordinary skill in the art to have modified the system disclosed by Suda et al, by replacing the remote control described Suda et al with the remote control described by Sasaki et al, to obtain the benefit thereof; i.e., namely, the ability to select and display the specific operation panel relating to the specific operation to be controlled (i.e., interactive or non-

interactive); e.g., thereby avoiding the confusion of having non-effective buttons.⁵

5. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 1. Additionally:

I. With respect to claim 2:

Note tuner 201 in Figure 2 of Suda et al.

II. With respect to claim 3:

In Suda et al., the receipt of interactive program content was detected via the detection of an associated interactive script,

III. With respect to claim 4:

In Suda et al., the program content is provided via a broadcast/transmission network.

IV. With respect to claim 5:

Again, note lines 16-19 of pages 2 of applicant's own disclosure.

IV. With respect to claim 6:

While the operation panels were displayed via a touch screen of the remote, alternatively, it was well known in the art to have displayed such panels via a GUI on the TV receiver display [note lines 3-11 on page 2 of applicant's own disclosure).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 6.

⁵ Such advantages of touch panel interfaces having been notoriously well known in the art (note lines 37-43 in column 4 of US Patent #5,315,999 to Kinicki et al.)

7. Claims 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 7.

8. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Document #2005-006144 to Suda et al. (machine generated translation provided herewith) in view of US patent #4,825,209 to Sasaki et al. and applicant's acknowledgement of "prior art" for the same reasons addressed above for claim 7. Additionally:

I. With respect to claim 9:

e.g., note Figure 3B of Sasaki et al. and Figure 4 of Suda et al. for the different ones of the plurality of operation panels which would be provided by the modified system.

9. The "prior art" was cited because it is illustrative of interactive interface circuitry.

10. Claim 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. HARVEY whose telephone number is (571) 272-7345. The examiner can normally be reached on M-F from 6:00AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Peter-Anthony Pappas, can be reached on (571) 272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID E HARVEY/

Primary Examiner, Art Unit 2481

DAVID E HARVEY

Primary Examiner

Art Unit 2481

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MACHIDA, et al.
Serial No.: 11/508,209
Filed: August 23, 2006
For: MULTIMEDIA PLAYER DISPLAYING OPERATION PANEL
DEPENDING ON CONTENTS
Group: 2481
Examiner: David E Harvey
Conf. No.: 1743

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

August 15, 2011

Sir:

In response to the Office Action dated April 13, 2011, please amend the
above-identified application as listed below and as set forth on the following pages:

Listing of the Claims

Remarks are included following the amendments

Listing of the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A digital content reproducing apparatus, comprising:
a content input/output unit ~~for~~ unit adapted to provide input/output control of digital contents;
a data monitor unit ~~for judging~~ adapted to judge whether said digital contents are linear contents or interactive contents, ~~and determining~~ to determine an appreciation term indicating a life span of said digital contents; ~~and contents;~~
an operation panel display unit ~~for displaying~~ adapted to display either a linear content operation panel or an interactive content operation panel in accordance with a judged and determined result by said data monitor unit; and
wherein the contents and also either the linear content operation panel or the interactive content operation panel are displayed concurrently in one screen.

2. (Currently Amended) The digital content reproducing apparatus according to claim 1, further comprising a digital broadcast receiving unit, wherein said digital content input/output unit receives said digital contents from said digital broadcast receiving unit.

3. (Currently Amended) The digital content reproducing apparatus according to claim 2, wherein said data monitor unit judges whether said digital contents are the linear contents or the interactive contents, in accordance with program identifying

information contained in ~~said digital~~ said digital contents or data attribute information on a BML descriptive language.

4. (Original) The digital content reproducing apparatus according to claim 1, further comprising a network connection unit, wherein said content input/output unit receives said digital contents from said network connection unit.

5. (Currently Amended) The digital content reproducing apparatus according to claim 1, further comprising a data record unit ~~for recording~~ adapted to record said digital contents, wherein said ~~contents~~ content input/output unit receives said digital contents from said data record unit.

6.-11. (Cancelled)

12. (Currently Amended) ~~The digital~~ A digital content reproducing apparatus ~~according to claim 1,~~ comprising:

a content input/output unit adapted to provide input/output control of digital contents;

a data monitor unit adapted to judge whether said digital contents are linear contents or interactive contents and to determine an appreciation term of said digital contents; and

an operation panel display unit adapted to display either a linear content operation panel or an interactive content operation panel in accordance with a judged and determined result by said data monitor unit;

wherein, when the data monitor unit judges the digital contents are linear contents and determines the digital contents are within the appreciation term, the operation panel display unit displays the interactive content operation panel,

when the data monitor unit judges the digital contents are linear contents and determines the digital contents are out of the appreciation term, the operation panel display unit displays the linear content operation panel,

wherein, when the data monitor unit judges the digital contents are interactive contents and determines the digital contents are within the appreciation term, the operation panel display unit displays the linear content operation panel, and

when the data monitor unit judges the digital contents are interactive contents and determines the digital contents are out of the appreciation term, the operation panel display unit displays the interactive content operation panel.

13. (New) A digital content reproducing apparatus, comprising:

an input unit which inputs the digital content;

a reproducer which reproduces the inputted digital content;

an output unit which outputs the reproduced digital content;

a display which displays the outputted digital content and either a liner content operation panel or an interactive content operation panel; and

a controllers which controls a user operation interface corresponding to information on the content;

wherein either the liner content operation panel or the interactive content operation panel is displayed exclusively as the user operation interface,

wherein the outputted digital content and also either the liner content operation panel or the interactive content operation panel are displayed concurrently in one screen.

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1-12 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is presently interested. At entry of this paper, Claims 1-5 and 12-13 will be pending for further consideration and examination in the application.

REWRITTEN ALLOWABLE CLAIM(S)

Claims 12 been indicated as being allowable if rewritten, as indicated within the section numbered "10" on page 10 of the Office Action, and such claim has been so rewritten. Further, such claim has been amended (e.g., to improve clarity, and address 112, 2nd paragraph concerns) within this paper in a manner believed not to affect an allowability thereof. Reconsideration and renewal of the allowance are respectfully requested. The Examiner is respectfully requested to make an independent assessment as to whether accurate and sufficient allowable features/limitations have been incorporated into the above-mentioned claims. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

REJECTION UNDER '112, 2ND PAR. OBIATED VIA CLAIM AMENDMENT

Claims 1-12 have been rejected under 35 USC '112, second paragraph, as being indefinite for the concerns listed on pages 2-5 of the Office Action. Appropriate ones of such claims have been carefully reviewed and carefully amended where appropriate in order to address the Office Action listed concerns. As the foregoing is believed to have addressed all '112 second paragraph concerns, reconsideration and withdrawal of the '112 second paragraph rejection are respectfully requested.

INTERPRETATION AS '112, SIXTH PAR. "MEANS" - TRAVERSED

Office Action comments allege that certain ones of Applicant's claim limitations are "means (or step) plus function" limitations, and states that Applicant is required to: "(a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or (b) Amend the written description of the specification such that it clearly links or associates the corresponding structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)); or (c) State on the record where the corresponding structure, material, or acts are set forth in the written description of the specification that perform the claimed function."

Traversal is appropriate because the disputed elements were non-means-plus-function elements. Further, pursuant to option (a), Applicant has further clarified the disputed elements to even stronger non-means language, so as to broaden Applicant's claim(s). In short, Applicant respectfully submits that elements of Applicant's claims should be interpreted as non-means-plus-function elements.

As the foregoing is believed to have addressed all '112 sixth paragraph concerns, reconsideration and withdrawal of the '112 sixth paragraph interpretations, are respectfully requested.

The above statements, or any present amendment (without prejudice or disclaimer) of any alleged “means” or “step” limitations of disputed claims, should not be taken as an indication or admission that the objection or rejection was valid, or as a disclaimer of any scope or subject matter, but is merely use of a procedural approach to obviate disputed areas and further advance prosecution as quickly as possible.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of the claims is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Regarding differences between Applicant's claimed invention and the previously-applied art, attention is directed to FIG. 2 of the invention. More particularly, it is respectfully noted that the content and the operation panel are displayed on one screen. The operation panel may be a linear content operation panel (FIG. 3) or an interactive content operation panel (FIG. 4).

Regarding distinguishing claim features/limitations, independent claim 1 (taken as an example) recites, "1. (Currently Amended) A digital content reproducing apparatus, comprising: a content input/output unit adapted to provide input/output control of digital contents; **a data monitor unit adapted to judge whether said digital contents are linear contents or interactive contents**, and to determine an appreciation term indicating a life span of said digital contents; **an operation panel display unit adapted to display either a linear content operation panel or an interactive content operation panel in accordance with a judged and determined result by said data monitor unit**; and wherein **the contents and also either the linear content operation panel or the interactive content operation panel are displayed concurrently in one screen.**"

Turning to the previously-applied art, neither Suda nor Sasaki shows or suggests such display scheme.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.46531X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
20457 7590 10/21/2011 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER HARVEY, DAVID E	
			ART UNIT 2481	PAPER NUMBER
			MAIL DATE 10/21/2011	DELIVERY MODE 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.

1. Again, for the record:

A) In addition to the “means for ...” terminology, the following non-exhaustive list of non-functional terms may likewise invoke Section 112-6:

- a) “mechanism for ...”;
- b) “module for ...”;
- c) “device for ...”;
- d) “unit for ...”;
- e) “component for ...”;
- f) “element for ...”;
- g) “member for ...”;
- h) “apparatus for ...”
- i) “machine for...”;
- j) “system for ...”;
- k) etc,...

It is noted, however, that “circuit for” has been determined to be a “structural term” that does not invoke section 112-6.

[e.g., SEE: Federal Register/Vol.76, No. 26/Wednesday, February 9, 2011 @ first full paragraph of center column on page 7167]

B) It is further noted that alternative expressions substituted for “for” of a “[means] for” recitation (e.g., “adapted to”, “configured to”, etc,...) are insufficient to denote structure and, as such, are insufficient to avoid triggering the presumed interpretation/construction under Section 112-6 presumption.

[e.g., Ex parte Rodriguez, 92 USPQ2d 1395].

C) For a computer-implemented means-plus-function claim limitation that invokes 35 112, sixth paragraph, the corresponding structure is required to be more than simply a general purpose computer or microprocessor.¹ The corresponding structure for a computer-implemented function must include the

¹ See *Aristocrat Technologies Inc. v. International Game Technology*, 521 F.3d 1328, 1333, 86 USPQ2d. 1235, 1239-1240 (Fed. Cir. 2008)

algorithm as well as the general purpose computer or microprocessor.² The written description of the specification must at least disclose the algorithm that transformed the general purpose microprocessor to a special purpose computer programmed to perform the claimed function.³ Applicant may express the algorithm in any understandable terms including as a mathematical formula, in prose, in a flow chart, or in any manner that provides sufficient structure.⁴

2. With respect to the “unit adapted to...” and “unit which...” recitations of instant claims 1- 5, 12, and 13:

A) See paragraph 1 of this Office action (particularly, parts A and B thereof);

B) Regardless, in the last fifteen lines on page 7 of the argument’s filed 8/15/2011, applicant has taken the position that the “unit adapted to...” and the “unit which...” recitations of the instant claims should ***not*** be construed as invoking Section 112-6 interpretations/constructions. Given this argument, and given the fact that the recitations in question are not naked “unit for...” recitations (e.g., they are preceded by “structural” modifiers), applicants position is hereby accepted by the instant examiner; i.e., accordingly, the “unit” recitations of the instant claims have been construed according to “broadest reasonable interpretation”.

² See *WMS Gaming, Inc. v. International Game Technology*, 184 F.3d 1339, 51 USPQ2d. 1385 (Fed. Cir. 1999)

³ See *Aristocrat*, 521 F.3d at 1338, 86 USPQ2d. at 1243.

⁴ See *Finisar Corp. v The DIRECTV Group Inc.*, 523 F.3d 1323, 1340, 86 USPQ2d. 1385 (Fed. Cir. 1999)

3. The following “prior art” is cited as evidencing the fact that it was known in the art to have used metadata to associate sets of attribute data with respective segments of an A/V content stream, wherein the associated set of attribute data allows the receiver/reproduction circuitry to judge/identify/determine which of a plurality of different types of navigation controls, i.e., linear and non-linear controls, are active/enabled during the presentation/display time (i.e., “life span”) of the corresponding segment, and wherein the active/enabled navigation controls are incorporated into a GUI for presentation to, and selection by, the user during the presentation/display time (i.e., “life span”) of the respective segment:

A) US Patent Document #2005/0188408 to Wallis et al.:

As is illustrated in Figure 2, Wallis et al. describes a system comprising:

- 1) A head end (e.g., @ 200) for providing either broadcast or VOD A/V programming content to one or more user terminals (e.g., @ 220 and 230); and
- 2) Said one or more user terminals (e.g., @ 220 and 230);

wherein Wallis et al. teaches that such a system:

- a) Was conventionally used to provide “**linear**” broadcast and VOD A/V content to the user terminals which, in the context of the Wallis et al. disclosure, refers to content which is simply selected for display at the user terminal via, for example, a channel selection process [*note paragraph 0008*]; and
- b) Was used in accordance with the Wallis et al. invention to further provide “**non-linear**” A/V content which in the context of the Wallis et al. disclosure, refers to content which over which the user terminal is provided with additional navigation controls that selectively include:
 1. “VCR-LIKE” controls (e.g., FF, STOP, REW, Play, etc,...); and
 2. Other non-linear controls (e.g., Skip, Jump/”Target”, etc...)

[NOTE: the “Abstract” on the cover page; paragraph 0010; Figure 1; paragraphs 0029-0034; paragraphs 0055-0065; paragraph 0079; paragraph 0092; paragraph 0098; etc,...].

Further:

1) As described with respect to Figure 1, the A/V content in Wallis et al. comprised a plurality of segments (e.g., @ 102-110) each of which comprised associated metadata indicative of respective ones of the additional navigation controls that were, and were not, available/active during the display time [e.g., “*life span*” as determined by an “*appreciation term*” (e.g., note paragraph 0098)] of the respective segment;

2) Said metadata caused the receiver to overlay a GUI onto the respectively displayed corresponding A/V segment wherein the overlaid GUI included selectable areas indicative of those of the additional navigations controls that are available/active for the corresponding segment as determined by the associated metadata.

[NOTE: paragraph 0047; claims 1, 8, and 10; etc,...].

B) PCT Patent Document # WO 2005/024828 to Hamaska et al [wherein US Patent Document #2007/0003220 represents a certified English translation thereof]:

SEE: Figures 15-17; and paragraphs 0125-0129.

4. The following “prior art” is cited as evidencing the fact that it was notoriously well known in the GUI display art to have displayed non-active and/or non-enabled buttons/options of a displayed GUI in a “gray-out” state and, *more desirably, to have simply removed the non-active and/or non-enabled buttons/options from the displayed GUI:*

A) US Patent #6,297,856 to Nakamura et al.:

SEE: lines 60-61 of column 5.

B) US Patent Document #2003/0050885 to Cohen et al.:

SEE: lines 5-10 of paragraph 0031.

C) US Patent #5,315,999 to Kinicki et al.:

SEE: lines 37-43 of column 4.

D) US Patent #7,126,587 to Kawakami et al.:

SEE: lines 25-38 and 56-59 of column 9; lines 19-24 of column 10; and lines 32-38 of column 11.

5. 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 negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicants description of “prior art” in view of US Patent Document #2005/0188408 to Wallis et al and US Patent #7,126,587 to Kawakami et al

I. The acknowledged “prior art”:

In lines 7-19 on page 2 of the instant specification, applicant describes conventional computer implemented DVD recording/reproducing systems as follows:

“Typical apparatus which perform reproduction control by graphical user interface (GUI) digital include a digital broadcasting compatible personal computer and a DVD reproduction compatible personal computer. In these apparatus, reproduction keys for linear contents and interactive contents are displayed on a screen and unusable keys are disabled so that it is possible to improve user easy to use performance. However, in order to display all keys, a large panel rendering area is required. Since linear contents and interactive contents are multiplexed and transmitted for digital broadcasting, these contents are also recorded in a multiplexed state”

More specifically, as described above, it appears that such apparatus implicitly comprised:

- A) An **input unit** for receiving a digital broadcasting content comprised of multiplexed linear and non-linear contents (i.e., required to receive the digital broadcast content that, as described by applicant, is recorded);
- B) A **recording unit** for recording the received content in the multiplexed state (i.e., required to record the content which, as described by applicant, is recorded);
- C) A **reproduction unit** for reproducing the recorded content (i.e., required/inherent in any reproduction device that reproduces recorded content);
- D) An **output unit** for outputting the reproduce content to a **first display device** (i.e., required of any reproduction device that reproduces recorded content); and

E) An **operational panel display unit** for displaying a GUI on a **second display device**⁵ wherein:

1) The displayed GUI is comprised of reproduction keys for the reproduced linear and non-linear contents; and

2) Unusable ones of the keys are “disabled”;

(as described)

and

F) A **controller**, i.e., the CPU of the computer, for controlling the operation of the above listed components of the system.

II. Differences:

Claim 13 appears to differ from the “prior art” described by applicant only in that:

A) The GUI of the prior art is not described by applicant as being displayed concurrently on the same display device as the reproduced content.

B) The described “unusable keys” of the GUI of the prior art are not explicitly described by applicant as comprising:

1) The keys that pertain to the linear content during the reproduction/display time (i.e., “**life span**”) of the non-linear content, thereby rendering them “unusable”; and/or

2) The keys that pertain to the non-linear content during the reproduction/display time (i.e., “**life span**”) of the linear content, thereby rendering them “unusable”; and

And while the described “unusable keys” of the prior art are described by applicant as being “disabled”, this disablement is not described by applicant as resulting in the removal of the disabled keys from the GUI (i.e., not displaying them).

⁵ It is noted that the disclosure does not specify whether the GUI and the reproduced content are displayed on the same display device or different devices; e.g., whether the first and second devices are the same or different.

III. Obviousness:

A) Wallis et al describes a system as was set forth above in part “A” of paragraph 3 of this Office action. Wallis et al evidences the fact that it was known in the A/V content reproduction/display art to have displayed a GUI as an overlay over the displayed video content [Note paragraph 0047]. In light of this showing, the examiner maintains that it would have been obvious to one of ordinary skill in the art to have modified the “prior art” described by applicant to display the GUI as such a conventional overlay; i.e., the implementation having the advantage that it requires the system to comprise a single display device thereby avoiding the cost of multiple displays (i.e., motivation for the modification);

B) as noted above, Wallis et al describes a system as was set forth above in part “A” of paragraph 3 of this Office action. Wallis et al evidences that it was known in the A/V content reproduction/display art to have associated attribute data with segments of the A/V content (see Figure 1) being reproduced in order to have enabled the display/reproduction device to **monitor/judge/determine** the type of content being reproduced and modify the GUI accordingly; i.e., to:

- 1) Provide/display “VCR-Like” navigation controls on the GUI when the content is judged/determined to be “linear content” via the associated attribute data; and
- 2) Provide/display non-linear navigation controls (i.e., skip and or jump controls) via the GUI when the content is judged/determined to be non-linear content;

wherein, as shown in Figure 1, the attributes data pertaining to the respective types of content may be set in a mutually exclusive fashion.

In light of this showing, it would have been obvious to one of ordinary skill in the art, if not implicit in applicant’s description of “unusable keys” itself, for the described “unusable keys” of applicants disclosed “prior art” to have comprised those keys that pertain to the linear content during the presentation/display of nonlinear content, and/or those keys that pertain to the non-linear content during the presentation/display of the linear content; i.e., thereby causing, as described, the non-applicable keys to be “disabled” in some un-described way. However, as evidenced by the showing of Kawakami et al. (note part D of paragraph 4 of this Office action), it was well known in the GUI display arts for such “disablement” to have resulted in the removal of the non-applicable “unusable” keys from the GUI display.

7. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicants description of “prior art” in view of US Patent Document #2005/0188408 to Wallis et al and US Patent #7,126,587 to Kawakami et al for the same reasons as were set forth above for claim 13.

8. Claims 2, 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants description of “prior art” in view of US Patent Document #2005/0188408 to Wallis et al and US Patent #7,126,587 to Kawakami et al for the same reasons as were set forth above for claim 1.

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicants description of “prior art” in view of US Patent Document #2005/0188408 to Wallis et al and US Patent #7,126,587 to Kawakami et al, for the same reasons as were set forth above for claim 2, further in view of PCT Patent Document #98/44732 to Van Gestel.

The examiner maintains that it would have been obvious to one of ordinary skill in the art to have modified the “prior art” described by applicant in accordance with the teachings of Wallis et al and Kawakami et al for the reasons set forth above with respect to claim 2/1.

Claim 3 differs from the modified system in that it required the program identifying attribute data to be incorporated into the digital broadcast itself.

Van Gestel evidences that it was known in the art to have embedded such attribute data with in the broadcast stream itself [note lines 2-7 on page 3]. In light of this showing it would have been obvious to one of ordinary skill in the art to have further modified the described prior art to incorporate the attribute data with the digital broadcast itself.

10. Claim 12 is allowable.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. HARVEY whose telephone number is (571) 272-7345. The examiner can normally be reached on M-F from 6:00AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. William Vaughn, can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID E HARVEY/
Primary Examiner, Art Unit 2481

DAVID E HARVEY
Primary Examiner
Art Unit 2481



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
20457 7590 11/30/2011 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER HARVEY, DAVID E	
			ART UNIT 2481	PAPER NUMBER
			MAIL DATE 11/30/2011	DELIVERY MODE 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.

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request For Continued Examination (RCE) Transmittal	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>11/508,209</td> </tr> <tr> <td>Filing Date</td> <td>8/23/2006</td> </tr> <tr> <td>First Named Inventor</td> <td>MACHIDA, et al.</td> </tr> <tr> <td>Art Unit</td> <td>2481</td> </tr> <tr> <td>Examiner Name</td> <td>David E Harvey</td> </tr> <tr> <td>Attorney Docket Number</td> <td>500.46531X00</td> </tr> </table>	Application Number	11/508,209	Filing Date	8/23/2006	First Named Inventor	MACHIDA, et al.	Art Unit	2481	Examiner Name	David E Harvey	Attorney Docket Number	500.46531X00
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Examiner Name	David E Harvey												
Attorney Docket Number	500.46531X00												
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450													
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.													
1. Submission required under 37 C.F.R. § 1.114 Note: If the RCE is proper, any previously filed un-entered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed un-entered amendment(s) entered, applicant must request non-entry of such amendment(s). a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ii. ☐ Other b. ☒ Enclosed i. ☒ Amendment/Reply ii. ☐ Affidavit(s)/Declaration(s) iii. ☐ Information Disclosure Statement (IDS) iv. ☐ Other 2. Miscellaneous a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required) b. ☐ Other 3. Fees The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when RCE is filed. a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2135 i. ☒ RCE fee required under 37 C.F.R. § 1.17 (e) ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) iii. ☐ Other b. ☐ Check in the amount of \$ enclosed c. ☒ Payment by credit card (Form PTO-2038 enclosed) WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED													
Name (Print/Type)	Paul J. Skwierawski												
Registration No. (Attorney/Agent)	32,173												
Signature	/Paul J. Skwierawski/												
Date	December 8, 2011												
CERTIFICATE OF MAILING OR TRANSMISSION													
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.													
Name (Print/Type)													
Signature													
Date													

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MACHIDA, et al.
Serial No.: 11/508,209
Filed: August 23, 2006
For: MULTIMEDIA PLAYER DISPLAYING OPERATION PANEL
DEPENDING ON CONTENTS
Group: 2481
Examiner: David E Harvey
Conf. No.: 1743

AMENDMENT
AND
STATEMENT OF SUBSTANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

December 8, 2011

Sir:

In response to the Office Action dated October 21, 2011, please amend the
above-identified application as listed below and as set forth on the following pages:

Listing of the Claims

Remarks are included following the amendments

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

CONCURRENT REQUEST FOR CONTINUED EXAMINATION (RCE)

Submitted concurrently herewith is a Request for Continued Examination (RCE) transmittal. In the event that the RCE transmittal is not filed herewith, then this paper should be taken as a request for the filing of an RCE.

RCE FILED TO AVOID PROSECUTION DELAYS

In view of the significant features/limitations of the amended and/or added claims being inappropriate (i.e., deniable) for entry after final rejection in that such would require significant further search and/or consideration, the present RCE was filed to avoid Advisory Action delay and to gain immediate entry/consideration of such feature/limitations. In view of the significant features/limitations of the amended and/or added claims, it is respectfully submitted that it would NOT BE PROPER to make a FIRST ACTION FINAL within the present RCE.

STATEMENT OF SUBSTANCE

This paper is (at least partially) responsive to the examiner interview conducted November 29, 2011 by and between (as indicated on the Interview Summary document) Examiner David Harvey, Applicant's foreign trainee Mr. Kazuki

Fujisawa and attorney Paul J. Skwierawski, in the parent application to the present application. It is respectfully submitted that the statement(s) regarding the "Substance of Interview", and all other information, as set forth within the Interview Summary document is accurate and is herein adopted by Applicant. Further to the above, any foregoing amendments may include amendments discussed during, or resultant from, the examiner interview, and the following includes a reiteration of discussions/arguments had during the examiner interview.

PENDING CLAIMS

Claims 1-5, 12 and 13 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 12-20 will be pending for further consideration and examination in the application.

TELEPHONE CALL REQUESTED FOR ACCELERATION OF PROSECUTION

As mentioned at the examiner interview, Applicant is interested in obtaining allowance for this application preferably within Y2011, or by March 2011 at the latest. Accordingly, after the Examiner has reviewed this present paper, the Examiner is respectfully requested to contact the attorney indicated on this paper at the local Washington, D.C. area telephone number of 703/312-6600 for the purpose of attempting accelerated prosecution of the application.

ALLOWED CLAIMS

Claim 12 has been allowed in the application, as indicated within the section number "10" on page 11 of the Office Action. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of the claims is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

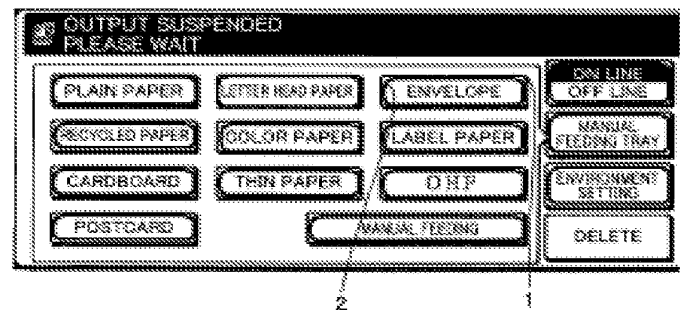
Applicant's non-allowed claims 13-20 recite Applicant's invention using **three approaches**. More particularly, as a **first approach**, independent claim 13 represents a **negative limitation** claim (suggested by the Examiner during the aforementioned examiner interview), i.e., claim 13 recites, "13. (Currently Amended) A digital content reproducing apparatus, comprising: an input unit which inputs digital content; a reproducer which reproduces the inputted digital content; an output

unit which outputs the reproduced digital content; a display which displays the outputted digital content together with an alternative display of either of a linear content operation panel allowing user-instruction regarding linear reproduction functions of the reproduced digital content or an interactive content operation panel allowing user-instruction of interactive functions to an outside of the digital content reproducing apparatus, wherein the linear content operation panel and the interactive content operation panel are distinct panels from each other, which are not generated by a disabling of buttons; and a controller which controls the alternative display of either of the linear content operation panel or the interactive content operation panel, wherein only one of the linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content; wherein the outputted digital content together with either the linear content operation panel or the interactive content operation panel, are displayed concurrently in one screen.” Claim 14 depends from claim 13.

[continued next page]

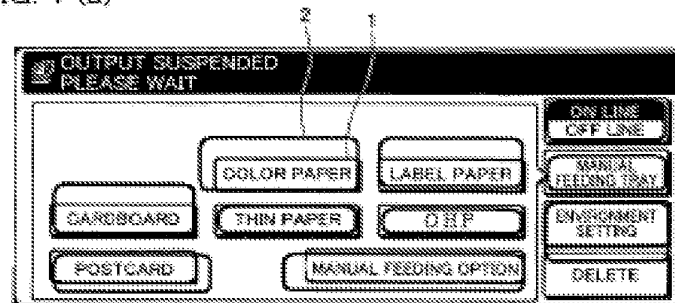
During the aforementioned examiner interview, the Examiner explained an interpretation that Kawakami may be viewed as providing two differing operation panels. For example, whereas Kawakami's FIG. 1(b) (reproduced herewith for convenience) illustrates a master

FIG. 1 (b)



operation panel having ALL (e.g., printer or copier machine) buttons selectable, Kawakami's FIG. 1(a) (reproduced herewith for convenience) illustrates a variation operation panel where several of the buttons have now been ghosted out so as to not be selectable. Beyond the Examiner's interpretation, It is respectfully noted that portions of FIG. 1(a) should NOT be interpreted as "buttons". More particularly,

FIG. 1 (a)



Kawakami's paragraph [0059], for example, discloses that "...inner frame 2 virtually indicates a region in which it is possible to detect whether the user select the "ENVELOPE" or not". That is, the FIG. 1(a) box 2 appears to be just a explanatory representation within the patent drawings, of an area which would register selection of a user's touch, and would not actually appear as an button to a user viewing an actual screen, i.e., only the button 1 would appear on the screen to a user. See also Kawakami's paragraph [0065] which states (in part), "...the size of the detection region with respect to a key display (button display) is changed according to status

of key arrangement including information as to whether there is another valid key around a target key (key in question). If there is another key in a vicinity of the target key, the detection region of the target key is caused to be smaller than a key display region of the target key, thereby preventing erroneous detection. If there is a vacant around the target key or if an interval between the target key and the another key is large enough, **the detection region of the target key is caused to be larger than the key display region of the target key.**

In turning to precluding use of Kawakami against present clarified claim 13, it is respectfully noted that claim 13 recites the negative limitation of, "...wherein **the linear content operation panel and the interactive content operation panel are distinct panels from each other, which are not generated by a disabling of buttons;**". In contrast, Kawakami's disclosure teaches the disabling of buttons to achieve alternative panels.

Turning now to the **second approach** within claims 13-20, independent claim 15 represents a **mutually differing buttons** claim, i.e., claim 15 recites, "15. (New) A digital content reproducing apparatus, comprising: an input unit which inputs digital content; a reproducer which reproduces the inputted digital content; an output unit which outputs the reproduced digital content; a display which displays the outputted digital content together with **an alternative display of either of a linear content operation panel allowing user-instruction regarding linear reproduction functions of the reproduced digital content or an interactive content operation panel allowing user-instruction of interactive functions to an outside of the digital content reproducing apparatus,** wherein **buttons of the linear content**

operation panel are mutually different from buttons of the interactive content operation panel; and a controller which controls the **alternative display of either of the linear content operation panel or the interactive content operation panel,** wherein only one of the linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content; wherein the outputted digital content together with either the linear content operation panel or the interactive content operation panel, are displayed concurrently in one screen.” Claims 16 and 17 depend from claim 15.

As illustration, Applicant’s FIG. 3 (reproduced herewith for convenience) illustrates a LINEAR CONTENT OPERATION PANEL, whereas Applicant’s FIG. 4 (also reproduced herewith for convenience) illustrates an alternative INTERACTIVE CONTENT OPERATION PANEL. It is respectfully noted that such alternative



panels have buttons being mutually differing from one another. For example, whereas FIG. 3’s LINEAR CONTENT OPERATION PANEL has reproduction related buttons (e.g., rewind, stop, pause, play, fast-forward, etc.), FIG. 4’s INTERACTIVE CONTENT OPERATION PANEL has interactive-related buttons (e.g., numeric keypad, joystick buttons, color-defined buttons).

In turning to precluding use of Kawakami against present clarified claim 15, it is respectfully noted that Kawakami's FIG. 1(b) master operation panel and Kawakami's FIG. 1(a) variation operation panel (reproduced above) do NOT have **buttons of one panel mutually different from buttons of the other panel**, e.g., whereas Kawakami's FIG. 1(a) panel has a COLOR PAPER button, as one example, so does Kawakami's FIG. 1(b) master panel. Given that Kawakami's FIG. 1(b) master panel has ALL the buttons and buttons are just ghosted out, it is respectfully submitted that Kawakami's panels can never have mutually differing buttons.

Finally, in turning to the **third approach** within claims 13-20, independent claim 18 represents a mutually differing functions claim, i.e., claim 15 recites, "18. (New) A digital content reproducing apparatus, comprising: an input unit which inputs digital content; a reproducer which reproduces the inputted digital content; an output unit which outputs the reproduced digital content; a display which displays the outputted digital content together with **an alternative display of either of a linear content operation panel allowing user-instruction regarding linear reproduction functions of the reproduced digital content or an interactive content operation panel allowing user-instruction of interactive functions to an outside of the digital content reproducing apparatus**, wherein **buttons of the linear content operation panel producing mutually differing functions from functions of buttons of the interactive content operation panel**; and a controller which controls the alternative display of either of the linear content operation panel or the interactive content operation panel, wherein only one of the linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content; wherein the outputted

digital content together with either the linear content operation panel or the interactive content operation panel, are displayed concurrently in one screen.”

Claims 19-20 depend from claim 18.

As illustration, Applicant’s FIG. 3 (reproduced herewith for convenience) illustrates a LINEAR CONTENT OPERATION PANEL, whereas Applicant’s FIG. 4 (also reproduced herewith for convenience) illustrates an alternative INTERACTIVE CONTENT OPERATION PANEL. It is respectfully noted that such alternative



panels have buttons effecting mutually differing functions from one another. For example, whereas FIG. 3’s LINEAR CONTENT OPERATION PANEL has rewind, stop, pause, play, fast-forward, etc., function buttons, FIG. 4’s INTERACTIVE CONTENT OPERATION PANEL has numeric input, joystick scrolling, color-defined selection function buttons.

In turning to precluding use of Kawakami against present clarified claim 18, it is respectfully noted that Kawakami’s FIG. 1(b) master operation panel and Kawakami’s FIG. 1(a) variation operation panel (reproduced above) do NOT have **buttons effecting mutually different functions from buttons of the other panel**, e.g., whereas Kawakami’s FIG. 1(a) panel has a COLOR PAPER button, as one example, so does Kawakami’s FIG. 1(b) master panel. Given that Kawakami’s FIG. 1(b) master panel has ALL the buttons and buttons are just ghosted out, it is

respectfully submitted that Kawakami's panels can never have buttons with mutually differing functions.

As a result of the foregoing, Applicant respectfully submits that the previously-applied Wallis (primary) reference and Kawakami (secondary) reference (whether taken individually, or in any applied combination) would not have disclosed or suggested the above-emphasized features/limitations of Applicant's claims. Further, no other previously-applied and/or known reference cures the major deficiencies mentioned above with respect to the above-discussed reference(s). Given that the previously-applied and/or known references are mutually deficient in at least one regard, it is respectfully submitted that the previously-applied and/or known references (whether taken individually, or in combination) would not have disclosed or suggested Applicant's claimed invention.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXTRANEOUS OFFICE ACTION STATEMENTS GENERALLY TRAVERSED

The Office Action makes extraneous statements (e.g., on the Office Action pages before the rejection) which are unconnected/unrelated to any presently pending rejection/objection. Applicant and the undersigned categorically traverse such statements, and also respectfully reserve the right to more explicitly traverse such statements should any statutory rejection/objection (connected/related to such

statements) be made. That is, Applicant and the undersigned respectfully refrain from further unnecessary prosecution history estoppel comments regarding such statements unless and until a rejection or objection related thereto is made.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

This Amendment is being submitted concurrently with the filing of a Request for Continued Examination (RCE) and does not present any changes which would require further search, consideration or fees. Entry and approval of the minor corrections made herein are respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.46531X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Paul J. Skwierawski/
Paul J. Skwierawski
Registration No. 32,173

PJS/slk
(703) 312-6600

Electronic Patent Application Fee Transmittal				
Application Number:		11508209		
Filing Date:		23-Aug-2006		
Title of Invention:		Multimedia player with plurality of operation panels		
First Named Inventor/Applicant Name:		Yoshihiro Machida		
Filer:		Paul J. Skwierawski/Kiara Ransom		
Attorney Docket Number:		500.46531X00		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for continued examination	1801	1	930	930
Total in USD (\$)				930

Electronic Acknowledgement Receipt	
EFS ID:	11576493
Application Number:	11508209
International Application Number:	
Confirmation Number:	1743
Title of Invention:	Multimedia player with plurality of operation panels
First Named Inventor/Applicant Name:	Yoshihiro Machida
Customer Number:	20457
Filer:	Paul J. Skwierawski/Kiara Ransom
Filer Authorized By:	Paul J. Skwierawski
Attorney Docket Number:	500.46531X00
Receipt Date:	08-DEC-2011
Filing Date:	23-AUG-2006
Time Stamp:	17:23:35
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 930
RAM confirmation Number	4482
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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Warnings:					
This is not a USPTO supplied RCE SB30 form.					
Information:					
2	Amendment Submitted/Entered with Filing of CPA/RCE	46531X00_amendment.pdf	133505	no	18
			76e75ba05164f7fa983ab565ded157adea3f47d9		
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30219	no	2
			1080ef7229419abc0d4733fbca9230dfdd21b2c		
Warnings:					
Information:					
Total Files Size (in bytes):			274491		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/508,209		Filing Date 08/23/2006		☐ To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY ☐ OR		OTHER THAN SMALL ENTITY		
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A		OR		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A				N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A				N/A	
TOTAL CLAIMS (37 CFR 1.16(j))		minus 20 =	*		X \$ =		OR		X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*		X \$ =				X \$ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))						TOTAL		TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	12/08/2011	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 9	Minus	** 20	= 0	X \$ =		OR	X \$60=	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***3	= 1	X \$ =		OR	X \$250=	250
	☐ Application Size Fee (37 CFR 1.16(s))							OR		
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	250
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))							OR		
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Legal Instrument Examiner:
/PARTHENIA D. MERRILL/

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 12/12/2011

PMERRILL	SALE	#00000001	Mailroom Dt:	12/08/2011	012135	11508209
		01	FC : 1201	250.00	DA	

Listing of the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-11. (Cancelled)

12. (Previously Presented) A digital content reproducing apparatus ,
comprising:

a content input/output unit adapted to provide input/output control of digital
contents;

a data monitor unit adapted to judge whether said digital contents are linear
contents or interactive contents and to determine an appreciation term of said digital
contents; and

an operation panel display unit adapted to display either a linear content
operation panel or an interactive content operation panel in accordance with a
judged and determined result by said data monitor unit;

wherein, when the data monitor unit judges the digital contents are linear
contents and determines the digital contents are within the appreciation term, the
operation panel display unit displays the interactive content operation panel,

when the data monitor unit judges the digital contents are linear contents and
determines the digital contents are out of the appreciation term, the operation panel
display unit displays the linear content operation panel,

wherein, when the data monitor unit judges the digital contents are interactive contents and determines the digital contents are within the appreciation term, the operation panel display unit displays the linear content operation panel, and

when the data monitor unit judges the digital contents are interactive contents and determines the digital contents are out of the appreciation term, the operation panel display unit displays the interactive content operation panel.

13. (Currently Amended) A digital content reproducing apparatus, comprising:

an input unit which ~~inputs the~~inputs digital content;

a reproducer which reproduces the inputted digital content;

an output unit which outputs the reproduced digital content;

a display which displays the outputted digital content ~~and either a~~

linear together with an alternative display of either of a linear content operation panel

allowing user-instruction regarding linear reproduction functions of the reproduced

digital content or an interactive content operation panel allowing user-instruction of

interactive functions to an outside of the digital content reproducing apparatus,

wherein the linear content operation panel and the interactive content operation

panel are distinct panels from each other, which are not generated by a disabling of

buttons; and

a controllers~~controller~~ which controls ~~a user-operation interface corresponding~~

~~to information on the content;~~the alternative display of either of the linear content

operation panel or the interactive content operation panel, wherein either the

~~linear~~only one of the linear content operation panel or the interactive content operation

panel is displayed exclusively ~~as the user operation interface, at any given time,~~
together with the outputted digital content;

wherein the outputted digital content ~~and also~~together with either the
~~linear~~linear content operation panel or the interactive content operation panel, are
displayed concurrently in one screen.

14. (New) The digital content reproducing apparatus according to claim 13,
wherein the linear content operation panel and the interactive content operation
panel are common in size, and are alternatively switched between each other in a
same panel rendering area of the screen as alternative operation panels.

15. (New) A digital content reproducing apparatus, comprising:
an input unit which inputs digital content;
a reproducer which reproduces the inputted digital content;
an output unit which outputs the reproduced digital content;
a display which displays the outputted digital content together with an
alternative display of either of a linear content operation panel allowing user-
instruction regarding linear reproduction functions of the reproduced digital content
or an interactive content operation panel allowing user-instruction of interactive
functions to an outside of the digital content reproducing apparatus, wherein buttons
of the linear content operation panel are mutually different from buttons of the
interactive content operation panel; and
a controller which controls the alternative display of either of the linear content
operation panel or the interactive content operation panel, wherein only one of the

linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content;

wherein the outputted digital content together with either the linear content operation panel or the interactive content operation panel, are displayed concurrently in one screen.

16. (New) The digital content reproducing apparatus according to claim 15, wherein all the buttons are mutually different from each other.

17. (New) The digital content reproducing apparatus according to claim 15, wherein the linear content operation panel and the interactive content operation panel are common in size, and are alternatively switched between each other in a same panel rendering area of the screen as alternative operation panels.

18. (New) A digital content reproducing apparatus, comprising:
an input unit which inputs digital content;
a reproducer which reproduces the inputted digital content;
an output unit which outputs the reproduced digital content;
a display which displays the outputted digital content together with an alternative display of either of a linear content operation panel allowing user-instruction regarding linear reproduction functions of the reproduced digital content or an interactive content operation panel allowing user-instruction of interactive functions to an outside of the digital content reproducing apparatus, wherein buttons

of the linear content operation panel producing mutually differing functions from functions of buttons of the interactive content operation panel; and

a controller which controls the alternative display of either of the linear content operation panel or the interactive content operation panel, wherein only one of the linear content operation panel or the interactive content operation panel is displayed exclusively at any given time, together with the outputted digital content;

wherein the outputted digital content together with either the linear content operation panel or the interactive content operation panel, are displayed concurrently in one screen.

19. (New) The digital content reproducing apparatus according to claim 18, wherein all the buttons of the linear content operation panel and the interactive content operation panel, provide mutually differing functions from each other.

20. (New) The digital content reproducing apparatus according to claim 18, wherein the linear content operation panel and the interactive content operation panel are common in size, and are alternatively switched between each other in a same panel rendering area of the screen as alternative operation panels.



UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

20457 7590 12/27/2011
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

HARVEY, DAVID E

ART UNIT

PAPER NUMBER

2481

DATE MAILED: 12/27/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743

TITLE OF INVENTION: MULTIMEDIA PLAYER WITH PLURALITY OF OPERATION PANELS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	03/27/2012

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20457 7590 12/27/2011
ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
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TITLE OF INVENTION: MULTIMEDIA PLAYER WITH PLURALITY OF OPERATION PANELS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	03/27/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
HARVEY, DAVID E	2481	386-046000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/508,209	08/23/2006	Yoshihiro Machida	500.46531X00	1743
20457 7590 12/27/2011 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER HARVEY, DAVID E	
			ART UNIT 2481	PAPER NUMBER

DATE MAILED: 12/27/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1007 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1007 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No.	Applicant(s)	
	11/508,209	MACHIDA ET AL.	
	Examiner	Art Unit	
	DAVID HARVEY	2481	

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/8/2011.

2. ☐ 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.

3. ☒ The allowed claim(s) is/are 12-20, renumbered 1-9 respectively.

4. ☒ 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 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)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____ 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. ☐ Notice of Informal Patent Application 6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____. 7. ☐ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other _____.
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1. Again, for the record:

A) In addition to the “means for ...” terminology, the following non-exhaustive list of non-structural terms may likewise invoke Section 112-6:

- a) “mechanism for ...”;
- b) “module for ...”;
- c) “device for ...”;
- d) “unit for ...”;
- e) “component for ...”;
- f) “element for ...”;
- g) “member for ...”;
- h) “apparatus for ...”
- i) “machine for...”;
- j) “system for ...”;
- k) etc,...

It is noted, however, that “circuit for” has been determined to be a “structural term” that does not invoke section 112-6.

[e.g., SEE: Federal Register/Vol.76, No. 26/Wednesday, February 9, 2011 @ first full paragraph of center column on page 7167]

B) It is further noted that alternative expressions substituted for “for” of a “[means] for” recitation (e.g., “adapted to”, “configured to”, etc,...) are insufficient to denote structure and, as such, are insufficient to avoid triggering the presumed interpretation/construction under Section 112-6 presumption.

[e.g., Ex parte Rodriguez, 92 USPQ2d 1395].

C) For a computer-implemented means-plus-function claim limitation that invokes 35 U.S.C. 112, sixth paragraph, the corresponding structure is required to be more than simply a general purpose computer or microprocessor.¹ The corresponding structure for a computer-implemented function must include the

¹ See *Aristocrat Technologies Inc. v. International Game Technology*, 521 F.3d 1328, 1333, 86 USPQ2d. 1235, 1239-1240 (Fed. Cir. 2008)

algorithm as well as the general purpose computer or microprocessor.² The written description of the specification must at least disclose the algorithm that transformed the general purpose microprocessor to a special purpose computer programmed to perform the claimed function.³ Applicant may express the algorithm in any understandable terms including as a mathematical formula, in prose, in a flow chart, or in any manner that provides sufficient structure.⁴

2. With respect to the “unit adapted to...” and “unit which...” recitations of instant claims 12-20:

A) See paragraph 1 of this Office action (particularly, parts A and B thereof);

B) Regardless, in the last fifteen lines on page 7 of the argument's filed 8/15/2011, applicant took the position that the “unit adapted to...” and the “unit which...” recitations of the instant claims should ***not*** be construed as invoking Section 112-6 interpretations/constructions. Given this argument, and given the fact that the recitations in question were and are not naked “unit for...” recitations (e.g., they are preceded by “structural” modifiers), applicants position is hereby accepted by the instant examiner; i.e., accordingly, the “unit” recitations of the instant claims continue to be construed according to “broadest reasonable interpretation”.

² See *WMS Gaming, Inc. v. International Game Technology*, 184 F.3d 1339, 51 USPQ2d. 1385 (Fed. Cir. 1999)

³ See *Aristocrat*, 521 F.3d at 1338, 86 USPQ2d. at 1243.

⁴ See *Finisar Corp. v The DIRECTV Group Inc.*, 523 F.3d 1323, 1340, 86 USPQ2d. 1385 (Fed. Cir. 1999)

3. The following “prior art” is noted:

A) US Patent #5,416,535 to Sato et al:

Sato et al discloses a video content reproduction apparatus for reproducing and displaying video content from various different video content sources wherein, as shown in Figures 12-18, 20, 22-24, 26a, 26b, various different control panels can be alternatively and exclusively displayed, wherein at least some of the panels are have mutually differing buttons and functions.

B) US Patent #7,174,518 to Kim:

Kim discloses a touch pad remote control type device (Figure 2) to replace standard remote control devices (Figure 1) wherein the touch pad remote displays various interactive (Figure 6) and linear (Figure 7) menus.

C) EP Patent Document #1,376,321 to Honda:

e.g., NOTE: Figures 4 and 8.

D) Japanese Patent Document #11-298822 to Tsuda et al:

e.g., NOTE: Figures 3, 4, and 12.

E) US Patent #7,595,846 to Moon:

e.g., NOTE: Figures 4-7B.

F) US Patent #7,917,933 to Thomas et al:

e.g., NOTE: Figures 3, 6A, and 6B.

G) US Patent Document #2005/0262535 to Uchida et al:

e.g., NOTE: Figures 4 and 5.

H) US Patent #7,071,865 to Shibamiya et al:

e.g., NOTE: Figures 14 and 15.

4. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or fairly suggest the reproduction apparatus structures set forth in each of independent claim 13, 15, and 18, producing the alternative display of linear and interactive content operation panels, in the manners argued by applicant in the response filed 12/8/2011, which correspond to "linear reproduction functions" and "user instruction functions outside the apparatus", respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID E. HARVEY whose telephone number is (571) 272-7345. The examiner can normally be reached on M-F from 6:00AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. William Vaughn, can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID E HARVEY/
Primary Examiner, Art Unit 2481

DAVID E HARVEY
Primary Examiner
Art Unit 2481