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JAMES SCOTT NOLAN			HUNNINGS, TRAVIS R	
P.O. Box 371710				
SAN DIEGO, CA 92137				
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Please find below and/or attached an Office communication concerning this application or proceeding.

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eofficeaction@appcoll.com
jsnolan1@hotmail.com
nolan@virtualipsupport.com

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Claim Rejections - 35 USC § 103

In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1, 2, 5-8, 10-13, and 15-20 is/are rejected under 35 U.S.C. 103 as being unpatentable over Vescovi (US 20150277559) in view of Weast (US 20130106603) in view of Civelli (US 20140230019) and further in view of Ghabra (US 20060055517).

Regarding claim 1, the claimed housing, the housing having an outer bounding member and an inner bounding member, the outer and inner bounding members configured for being coupled together in a manner so as to form an interior portion, the interior portion retaining a plurality of components of the intelligent ring is met by the ring computing device (Vescovi: figure 1).

The claimed rechargeable battery positioned within the interior portion of the housing is met by the power system being a battery and having a recharging system (Vescovi: paragraph 56).

The claimed battery being curved is not specifically disclosed by Vescovi. Weast teaches a wearable electronic device that is curved and utilizes a curved battery (Weast: paragraph 422).

Modifying Vescovi to use a curved battery would increase the overall functionality of the device by providing the user with a battery shape to fit the shape of the ring itself, thereby more efficiently using the space inside the ring. Therefore it would have been obvious to one of ordinary skill in the art to modify Vescovi according to Weast.

The claimed one or more sensors, the one or more sensors comprising at least one of an accelerometer, a gyroscope, and a motion sensor, the one or more sensors being configured to sense a change in a condition of the wearer of the intelligent ring so as to produce sensed data is met by the optical sensors, gyroscope, and accelerometer (Vescovi: figure 7) along with motion module that detect different gestures by a user (Vescovi: paragraph 66).

The claimed memory, the memory storing one or more instructions is met by the memory storing the operating system and additional modules (Vescovi: figure 7).

The claimed instructions pertaining to remotely unlocking the client computing device is not specifically disclosed by Vescovi and Weast. Civelli teaches a ring device for unlocking a mobile device (Civelli: paragraphs 19-22). Modifying Vescovi and Weast to unlock a mobile device would increase the functionality of the system and therefore make it more desirable to users. Therefore it would have been obvious to one of ordinary skill in the art to modify Vescovi and Weast according to Civelli.

The claimed flexible printed circuit board positioned proximate the outer bounding member is not specifically disclosed by Vescovi, Weast, and Civelli. Ghabra discloses a communication device that uses a flexible circuit board with attached electrical components (Ghabra: paragraph 35). Modifying Vescovi, Weast, and Civelli to use a flexible circuit board would increase the overall utility of the device by providing the user with a means to more efficiently use the space inside the ring by forming the

circuit board to the interior space of the ring. Therefore it would have been obvious to one of ordinary skill in the art to modify Vescovi, Weast, and Civelli according to Ghabra.

The claimed a processor, the processor configured for receiving the sensed data and implementing the one or more instructions in response thereto is met by the processor/controller and included memory (Vescovi: figure 7).

The claimed communication module is met by the communication module and RF circuitry (Vescovi: figure 7).

The claimed communication module comprising a near field communication device configured for communicating with the client computing device in a manner sufficient to unlock the client computing device is met by the NFC communication (Vescovi: paragraph 148).

Regarding claim 2, the claimed near field communication device comprises a microchip is met by the processor (Vescovi: figure 7).

Regarding claim 5, the claimed inner bounding member is configured to be coupled to the exterior bounding member to form the housing is met by the ring shaped device (Vescovi: figure 1).

Regarding claim 6, the claimed client computing device comprises a mobile smart phone, and the communications module is configured for wirelessly coupling the intelligent ring with a mobile smart phone through an application running on the mobile device is met by the unlocking of the mobile device (Civelli: paragraph 21) and the utilization of computer program code running on the device (application) (Civelli: paragraph 16).

Regarding claim 7, the claimed communications module further comprises one or more of a Bluetooth transmitter, a WiFi transmitter, and a RF transmitter is met by the RF or bluetooth communication (Vescovi: paragraph 148).

Regarding claim 8, the claimed intelligent ring comprises a light element disposed proximate an opening in the outer bounding member of the housing is met by the I/O subsystem including an infrared port (Vescovi: paragraph 50).

Regarding claim 10, the claimed the processor comprises a plurality of processors is met by the controller and processor (Vescovi: figure 7).

Regarding claim 11, the claim is interpreted and rejected as claim 1 stated above.

The claimed GPS transceiver, for determining the location of the intelligent ring is met by the GPS module (Vescovi: figure 7).

Regarding claim 12, the claim is interpreted and rejected as claim 2 stated above.

Regarding claim 13, the claim is interpreted and rejected as claim 7 stated above.

Regarding claim 15, the claim is interpreted and rejected as claim 1 stated above.

The claimed performing a gesture by the user with the finger having donned the intelligent ring, the gesture being performed in such a manner so as to initiate the transmission of a communication from the near field communication device of the intelligent ring to the near field communication chip of the near field communication capable computing device, the communication effectuating the unlocking

of the device upon receipt thereby is met by a user's hand gesture controlling the device (Vescovi: paragraph 161).

Regarding claim 16, the claimed gesture comprises one or more of a handshake, a snap is met by the detection of a snap of the wrist (Vescovi: paragraph 158).

Regarding claim 17, the claimed near field communication capable computing device comprises a computer, a laptop, a tablet, and a smart phone is met by the smart phone (Civelli: paragraph 15).

Regarding claim 18, the claimed communication comprises a personal identification number (PIN), the PIN identifying and authorizing the user is met by the PIN (Civelli: paragraph 18).

Regarding claim 19, the claimed performing a second gesture once the near field communication capable computing device has been unlocked, the second gesture for performing a commercial transaction is met by the device being used to make a purchase (Weast: paragraph 250).

Regarding claim 20, the claimed performing a second gesture once the near field communication capable computing device has been unlocked, the second gesture for gaining access to a building is met by unlocking a door (Vescovi: paragraph 149).

Claim 9 and 14 is/are rejected under 35 U.S.C. 103 as being unpatentable over Vescovi, Weast, Civelli, Ghabra and further in view of Mastandrea (US 20130027341).

Regarding claim 9, the claimed intelligent ring comprises a charging coil coupled to the rechargeable battery so as to charge the battery inductively is not specifically disclosed by Vescovi, Weast, Civelli and Ghabra. Mastandrea teaches a circular wearable electronic device that includes an inductive coupling for charging the battery of the device (Mastandrea: paragraph 20). Modifying Vescovi, Weast, Civelli and Ghabra and Mastandrea to include solar cells for charging the battery would increase the usefulness of the device by providing the user with means to keep the device charged without plugging into an external power source. Therefore it would have been obvious to one of ordinary skill in the art to modify Vescovi, Weast, Civelli and Ghabra according to Mastandrea.

Regarding claim 14, the claim is interpreted and rejected as claim 9 stated above.

Allowable Subject Matter

Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on MTHF 830-430 (Office); W 8-4 (Home).

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. 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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TRAVIS R HUNNINGS/
Primary Examiner, Art Unit 2689