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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/028,833	02/10/2008	Paul A. Tornatta	069987-080	7596

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BEUSSE WOLTER SANKS MORA & MAIRE, P. A.
390 NORTH ORANGE AVENUE
SUITE 2500
ORLANDO, FL 32801

EXAMINER

NGUYEN, THINH T

ART UNIT	PAPER NUMBER
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2818

MAIL DATE	DELIVERY MODE
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08/22/2011

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. 12/028,833	Applicant(s) TORNATTA ET AL.	
	Examiner THINH T. NGUYEN	Art Unit 2818	

-- 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 07 August 2011.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 1-10 is/are pending in the application.
- 5a) Of the above claim(s) 8-10 is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1-4 and 7 is/are rejected.
- 8) Claim(s) 5-6 is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftperson'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: _____.

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DETAILED OFFICE ACTION

1. Applicant's election of claims 1-7 pertains to Group I for prosecution without traverse in the communication with the Office on August 7th 2011 is acknowledged.

Claim Rejections - 35 USC § 103

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

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

3. Claim 1-4.,7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Allen et al. (U.S. Patent 6,487,296) thereafter Allen 296

With regard to claim 1, Allen 296 discloses (the abstract,fig 2,fig 3,fig 5,fig 6) An audio system responsive to a source of audio programming, the audio system comprising: a master amplifier (fig 2) connected to the source of audio programming (Fig 2, fig 5 , # 50) , the master amplifier providing channelized amplified audio signals at each one of a plurality of channel output connectors (shown in fig 5, ; a channel transmit module responsive to the audio channel signal and the power signal for transmitting the audio channel signal; a channel receiver responsive to an intended audio channel signal; a channel amplifier connected

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to an associated channel receiver for amplifying the intended audio channel signal; and a sound reproducing device connected to the channel amplifier for aurally reproducing the intended audio channel signal.

Not disclosed in Allen 296 a signal splitter connected to at least one of the plurality of channel output connectors for splitting the channelized amplified audio signal at a selected one of the plurality of channel output connectors into an audio channel signal and a power signal;

Nevertheless, this limitation is considered obvious by the Allen 296 disclosures because Allen discloses a system that is equivalent with a signal splitter connected to at least one of the plurality of channel output connectors for splitting the channelized amplified audio signal at a selected one of the plurality of channel output connectors into an audio channel signal and a power signal. Note that Allen Discloses a FM (frequency Modulation) transmitter module wherein the Audio signal is modulated with a frequency Power signal to be transmitted in radio frequency.

With regard to claim 2, Allen 296 discloses (the abstract,fig 2,fig 3,fig 5,fig 6) An audio system wherein the transmit module transmitting the audio channel signal as radio frequency signals or as optical signals. (fig 5 , FM transmission is radio frequency transmission)

With regard to claim 3, Allen 296 discloses (the abstract,fig 2,fig 3,fig 5,fig 6) An audio system wherein the signal splitter and the transmit module are enclosed in a single enclosure. 9 inherently shown in fig 5)

With regard to claim 4, Allen 296 discloses (the abstract,fig 2,fig 3,fig 5,fig 6) an audio system wherein the channelized amplified audio signals from the master amplifier maintain a

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relative audio level between each one of the channelized amplified audio signals. (fig 5, signal level conditioning circuitry 70)

With regard to claim 7, Allen 296 discloses (the abstract,fig 2,fig 3,fig 5,fig 6) an audio system comprising a plurality of signal splitters, a like plurality of channel transmit modules, a like plurality of channel receivers, a like plurality of channel amplifiers and a like plurality of sound reproducing devices each of the like plurality of channel receivers responsive to a different audio channel signal. (shown in fig 2,fig 3,fig 5,fig 6)

ALLOWABLE SUBJECT MATTER

4. Claims 5-6 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claim. Claims 5-6 are considered allowable because prior arts of record fail to teach the limitations:

-- “ a power module interposed between the signal splitter and the transmit module, the power module comprising: a transformer responsive to the power signal from the signal splitter; a rectifier connected to the transformer; a charging circuit connected to the rectifier, the charging circuit supplying a modified power signal to the transmit module; and an energy storage device responsive to the modified power signal for supplying power to the charging circuit as needed.”--

in combination with all other limitations as recited in claim 5.

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5. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and the page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

6. A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) day from the day of this letter. Failure to respond within the period for response will cause the application to be abandoned (see M.P.E.P. 710.02(b)).

7. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) which papers have been placed of record in the file.

CONCLUSION

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Think T Nguyen whose telephone number is 571-272-1790. The examiner can normally be reached on Monday-Friday 9:30am-6: 30pm.If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached at 571-272-1657.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

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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).

/Thinh T. Nguyen/

Primary Examiner
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