

REMARKS/ARGUMENTS

After the foregoing amendments, claims 1-5, 8, 9, 21 and 22 are currently pending in this application. Claims 6-7 and 10-20 are canceled without prejudice. Claims 1-5, 8 and 9 are amended. New claims 21-22 are added.

Claim Rejections - 35 USC § 103

Claims 1-4, 6, 7, 9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2011/0305206 (Junell et al., hereinafter referred to as Junell) in view of U.S. Patent Application Publication No. 2011/0286401 (Wijting et al., hereinafter referred to as Wijting).

Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Junell in view of Wijting and further in view of U.S. Patent Application Publication No. 2010/0081449 (Chaudhri et al.).

Claim 1, as amended, recites a method of managing channel selection in a dynamic spectrum management network. A spectrum allocation request is received from a base station. Based on the spectrum allocation request, available channels are checked and channel usage data for the available channels is retrieved from a coexistence database. The channel usage data is provided to the base station, which selects a channel based on the channel usage data.

Junell discloses a method to request resources in a television (TV) white space type environment. Junell fails to teach or suggest receiving a spectrum allocation request from a base station and, based on the request, checking available channels, retrieving channel usage data from a coexistence database and providing the channel usage data to the base station to use as a basis for selecting a channel.

Wijting discloses a method and apparatus for cognitive radio coexistence. Wijting further discloses a coexistence node 10 that may act on behalf of one or

Applicant: Freda et al.
Application No.: 13/271,806

more secondary users that may report their spectrum needs to a spectrum manager
30. Wijting fails to teach or suggest receiving a spectrum allocation request from a base station and, based on the request, checking available channels, retrieving channel usage data from a coexistence database and providing the channel usage data to the base station to use as a basis for selecting a channel.

Claims 2-5, 8, 9 and 21 are dependent upon claim 1, and the Applicants believe these claims are allowable over the cited references of record for the same reasons provided above.

Based on the arguments presented above, the withdrawal of the 35 U.S.C. 103(a) rejections of claims 1-5, 8 and 9 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Applicant: Freda et al.
Application No.: 13/271,806

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Freda et al.

By /Scott Wolinsky/
Scott Wolinsky
Registration No. 46,413

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103-4009
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

SW/bbf
Enclosure