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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/356,108	01/23/2012	James Hunkins	AMD-050052C2	7906
3624	7590	10/29/2012	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			COUSO, JOSE L	
			ART UNIT	PAPER NUMBER
			2667	
			NOTIFICATION DATE	DELIVERY MODE
			10/29/2012	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eoffice@volpe-koenig.com

Office Action Summary	Application No. 13/356,108	Applicant(s) HUNKINS ET AL.	
	Examiner JOSE COUSO	Art Unit 2667	

-- 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 7/23/12.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) Claim(s) 1-20 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1-20 is/are rejected.
- 8) Claim(s) _____ 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) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/23/12</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-20 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 7,613,346. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims are directed towards the same subject matter.

The claims in the present application define the invention differently from the claims in the issued U.S. Patent No. 7,613,346, however they are not patentably distinguishable from the claims in the other copending applications. In *re White et al.*, 160 USPQ 417, *In re Thorington et al.*, 163 USPQ 644.

For example, comparing representative claim 1 of the present application with representative claim 1 of issued U.S. Patent No. 7,613,346. Claim 1 of the present application recites: a system for generating a frame-displayable signal comprising (Claim 1 of issued U.S. Patent No. 7,613,346 recites: a system comprising); a first VPU that comprises a processor and that receives an

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application signal in a format readable by the first VPU and processes the application signal to generate a first frame data signal; a second VPU that comprises a processor and that receives an application signal in a format readable by the second VPU and processes the application signal to generate a second frame data signal (Claim 1 of issued U.S. Patent No. 7,613,346 recites: a plurality of processor that each couple to receive commands and data that correspond to frames of video that comprise a plurality of pixels); and an interlinking module that processes the first and second frame data signals to generate a frame-displayable signal; wherein the first and second VPUs communicate command and control signals with each other (Claim 1 of issued U.S. Patent No. 7,613,346 recites: an interface module coupled to receive processed data corresponding to the frames from each of the plurality of processors, the interface module selecting pixels of the frames from the processed data of one of the processors based on a predetermined pixel characteristic and outputting a frame that includes the selected pixels).

As the comparison shows the differences relate to the difference in the wording in the present and patented claims respectively. In both sets of claims the processing is carried out on the data and/or elements and in no way affects how the data would be received from an input, processed and output within the context of the claims. Therefore, the difference in the wording would have been obvious to one of ordinary skill in the art at the time of the claimed invention.

Claims 2-20 of the present application recite limitations which are in most cases word for word the same limitations as found in claims 2-10 of issued U.S. Patent No. 7,613,346.

3. Claims 1-20 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 8,103,131. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims are directed towards the same subject matter.

The claims in the present application define the invention differently from the claims in the issued U.S. Patent No. 8,103,131, however they are not patentably distinguishable from the claims in the other copending applications. In re White et al., 160 USPQ 417, In re Thorington et al., 163 USPQ 644.

For example, comparing representative claim 1 of the present application with representative claim 8 of issued U.S. Patent No. 8,103,131. Claim 1 of the present application recites: a system for generating a frame-displayable signal comprising (Claim 8 of issued U.S. Patent No. 8,103,131 recites: a video programming unit (VPU) system for generating a frame-displayable signal comprising); a first VPU that comprises a processor and that receives an application signal in a format readable by the first VPU and processes the application signal to generate a first frame data signal (Claim 8 of issued U.S. Patent No. 8,103,131 recites: a first VPU that comprises a processor and that

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receives an application signal in a format readable by the first VPU and processes the application signal to generate a first frame data signal); a second VPU that comprises a processor and that receives an application signal in a format readable by the second VPU and processes the application signal to generate a second frame data signal (Claim 1 of issued U.S. Patent No. 8,103,131 recites: a second VPU that comprises a processor and that receives an application signal in a format readable by the second VPU and processes the application signal to generate a second frame data signal); an interlinking module that processes the first and second frame data signals to generate a frame-displayable signal (Claim 1 of issued U.S. Patent No. 8,103,131 recites: an interlinking module that processes the first and second frame data signals to generate a frame-displayable signal); wherein the first and second VPUs communicate command and control signals with each other (Claim 1 of issued U.S. Patent No. 8,103,131 recites: wherein the first and second VPUs communicate command and control signals with each other over the shared communications bus).

As the comparison shows the differences relate to the difference in the wording in the present and patented claims respectively. In both sets of claims the processing is carried out on the data and/or elements and in no way affects how the data would be received from an input, processed and output within the context of the claims. Therefore, the difference in the wording would have been obvious to one of ordinary skill in the art at the time of the claimed invention.

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Claims 2-20 of the present application recite limitations which are in most cases word for word the same limitations as found in claims 2-15 of issued U.S. Patent No. 8,103,131.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (571) 272-7388. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (571) 272-7778. 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).

/Jose L. Couso/
Primary Examiner, Art Unit 2624
October 23, 2012