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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/881,248	04/24/2013	Kouji Tsurusaki	SIP5KYO-PT007	3328
3624	7590	10/28/2014	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			TAYLOR JR, DUANE N	
			ART UNIT	PAPER NUMBER
			2626	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2014	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.
13/881,248

Applicant(s)
TSURUSAKI, KOUJI

Examiner
DUANE N. TAYLOR JR.

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AIA (First Inventor to File)
Status
No

-- 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 MONTHS 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 04/24/2013.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 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) 1-11 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) 1-11 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on 04/24/2013 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).

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).

Certified copies:

- 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)).

** 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) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 04/24/2013 & 08/18/2014.
- 3) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 4) Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5-8 & 10 rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Paleczny et al, hereinafter Paleczny (U.S. 2010/0156844 A1) {cited in IDS}.

In regards to **claim 1**, Paleczny discloses an electronic device (*fig. 1, disclosed in ¶ [0020] - ¶ [0021]*) comprising:

a detecting unit that detects an input position (*fig. 1, touch-sensitive display 118, disclosed in ¶ [0021] & ¶ [0025] - ¶ [0026]*);

a first housing (*fig. 2, housing 202, disclosed in ¶ [0028]*) including a base (*fig. 2, housing 204, disclosed in ¶ [0028]*) disposed opposite the detecting unit and a frame body (*fig. 2, frame 208, disclosed in ¶ [0028]*) positioned on the base so as to surround the detecting unit in plan view (*¶ [0028]*);

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an operation unit positioned at a front surface side of the detecting unit so as to cover the detecting unit in plan view (*figs. 1-2, overlay 114, disclosed in ¶ [0025] & ¶ [0028]*);

a vibrating body provided to the operation unit (*figs. 1-2, actuator 120, disclosed in ¶ [0027] - ¶ [0029]*); and

a flexible portion provided over a whole circumference of the frame body and supporting the operation unit (*fig. 2, spacers 216, disclosed in ¶ [0028]*).

In regards to **claim 5**, Paleczny discloses the electronic device according to claim 1, wherein a gap is provided between the detecting unit and the flexible portion (*illustration of figure 2 shows a gap between detection unit 118 & flexible portion 216*).

In regards to **claim 6**, Paleczny discloses the electronic device according to claim 1, but further comprising a stopper that prevents the operation unit from being detached from the frame body (*fig. 2, support tray 212, disclosed in ¶ [0028]*).

In regards to **claim 7**, Paleczny discloses the electronic device according to claim 1, wherein

the detecting unit is a touch panel (*fig. 1, touch-sensitive display 118, disclosed in ¶ [0021] & ¶ [0025] - ¶ [0026]*), and

the electronic device further comprises a display panel (*fig. 2, display 112, disclosed in ¶ [0028]*) provided between the detecting unit (*fig. 1, touch-sensitive display 118, disclosed in ¶ [0021] & ¶ [0025] - ¶ [0026]*) and the base (*fig. 2, housing 202 & frame 206, disclosed in ¶ [0028]*).

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In regards to **claim 8**, Paleczny discloses the electronic device according to claim 1, wherein the detecting unit is a display panel having a function to detect an input position (*fig. 1, touch-sensitive display 118, disclosed in ¶ [0021] & ¶ [0025] - ¶ [0026]; note, elements 112, 114, & 116 are all used to create touch-sensitive display 118 {shown in figs. 1-2 & 11}*).

In regards to **claim 10**, Paleczny discloses a portable terminal comprising the electronic device according to claim 1 in a second housing (*fig. 2, housing 202, disclosed in ¶ [0028]; note, the claim doesn't limit any differences between first and second housing; thus, they are construed to be the same housing*).

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 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.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 2, 9, & 11 rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Paleczny in view of Hwang (U.S. 2011/0095975 A1).

In regards to **claim 2**, Paleczny discloses the electronic device according to claim 1, wherein

the operation unit has an approximately rectangular shaped in plan view (*figs. 1-2, overlay 114, disclosed in ¶ [0025] & ¶ [0028]; note, elements 112, 114, & 116 are all used to create rectangular touch-sensitive display 118 {shown in figs. 1-2 & 11}; thus, the office construes element 114 to be substantially rectangular*), but **fails to disclose**

the flexible portion includes:

a first part, and

a second parts positioned at four corners of the frame body and each having a degree of flexure lower than a degree of flexure of the first part.

Hwang discloses the flexible portion includes: a first part (*Hwang, figs. 20 & 23, shape memory allow 800, disclosed in ¶ [0187] - ¶ [0194] & ¶ [0215] - ¶ [0218]*), and a second parts positioned at four corners of the frame body (*Hwang, figs. 10-11, sensing units 200, 600, 600a, & 600b; fig. 12, sensing units 560; refer to ¶ [0152] - ¶ [0164], in which indicates that the sensing unit is located in the flexible printed circuit board and may be arranged at each corner in accordance with fig. 12; fig. 23, flexible printed circuit board f, disclosed in ¶ [0215]*) and each having a degree of flexure lower than a degree of flexure of the first part (*Hwang, the office construes based off above citations, that*

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since the flexure is generated through and dependent upon the first part then the second part is harder to deform; this is based off applicant's definition disclosed in specification: "In other words, the second parts 80b are harder than the first part 80a. The "flexure" means deformation of a material. The "degree of flexure" means a rate of deformation of the material.").

Hwang and Paleczny are considered to be analogous art because both are in the same field of endeavor related to portable touch screens. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the flexible portion of Paleczny to include a first part, and a second parts positioned at four corners of the frame body and each having a degree of flexure lower than a degree of flexure of the first part, as taught by Hwang, in order to change the flexible printed circuit board and display in conformity with the deformation of the body, where no damage is made from the shape change (*Hwang*, ¶ [0218]).

In regards to **claim 9**, Paleczny discloses the electronic device according to claim 7, but **fails to disclose** wherein the display panel is a liquid crystal panel or an organic EL panel.

However, Hwang discloses wherein the display panel is a liquid crystal panel (*Hwang*, ¶ [0067]) or an organic EL panel.

Hwang and Paleczny are considered to be analogous art because both are in the same field of endeavor related to portable touch screens. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the display panel of Paleczny to be a liquid crystal panel or an organic EL panel,

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as taught by Hwang, in order to implement known display technologies (*Hwang*, ¶ [0067]).

In regards to **claim 11**, Paleczny discloses the electronic device according to claim 8, but **fails to disclose** wherein the display panel is a liquid crystal panel or an organic EL panel.

However, Hwang discloses wherein the display panel is a liquid crystal panel (*Hwang*, ¶ [0067]) or an organic EL panel.

Hwang and Paleczny are considered to be analogous art because both are in the same field of endeavor related to portable touch screens. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the display panel of Paleczny to be a liquid crystal panel or an organic EL panel, as taught by Hwang, in order to implement known display technologies (*Hwang*, ¶ [0067]).

Claims 3-4 rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Paleczny in view of Son (U.S. 2009/0243817 A1).

In regards to **claim 3**, Paleczny discloses the electronic device according to claim 1, wherein

the detecting unit has an approximately rectangular shape in plan view (*fig. 1, touch-sensitive display 118, disclosed in* ¶ [0021] & ¶ [0025] - ¶ [0026]), but **fails to disclose**

the electronic device further comprises a supporting body provided on the base and supporting four corners portions of the detecting unit.

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However, Son discloses the electronic device further comprises a supporting body provided on the base and supporting four corners portions of the detecting unit (*Son, fig. 3A, spaced compliant support structures 50 & 51; figs. 1-2, elements 21-24; refer to disclosure in ¶ [0034] & ¶ [0041] - ¶ [0046]*).

Son and Paleczny are considered to be analogous art because both are in the same field of endeavor related to portable input display devices. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the electronic device of Paleczny to include a supporting body provided on the base and supporting four corners portions of the detecting unit, and wherein a diameter of a surface of the supporting body in contact with the detecting unit is smaller than a diameter of a surface of the supporting body in contact with the base, as taught by Son, in order to produce signals from touching the screen from each sensor that be combined to identify the location of the touch and the force exerted by that touch (*Son, abstract*).

In regards to **claim 4**, Paleczny in combination above discloses the electronic device according to claim 3, wherein a diameter of a surface of the supporting body in contact with the detecting unit is smaller than a diameter of a surface of the supporting body in contact with the base (*Son, fig. 3A, spaced compliant support structures 50 & 51; refer to disclosure in ¶ [0041] - ¶ [0046]; based off the illustration of elements 50 & 51, the office construes the portions located towards pc board 16 are smaller than portions on the cover 14*).

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Son and Paleczny are considered to be analogous art because both are in the same field of endeavor related to portable input display devices. Therefore, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to modify the electronic device of Paleczny to include a supporting body provided on the base and supporting four corners portions of the detecting unit, and wherein a diameter of a surface of the supporting body in contact with the detecting unit is smaller than a diameter of a surface of the supporting body in contact with the base, as taught by Son, in order to produce signals from touching the screen from each sensor that be combined to identify the location of the touch and the force exerted by that touch (*Son, abstract*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUANE N. TAYLOR JR. whose telephone number is (571)272-4703. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Claire Pappas can be reached on 571-270-1051. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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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.

/DUANE N TAYLOR JR./
Examiner, Art Unit 2626

/NICHOLAS LEE/
Primary Examiner, Art Unit 2626