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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------------|-------------|------------------------|---------------------|------------------|
| 17/333,029 | 05/28/2021 | Brian Alexander MARTIN | 10616US04CON | 2917 |
| 165418 | 7590 | 10/21/2024 | EXAMINER | |
| Xsensus / Sony | | | SOHRAB, MALICK ARIF | |
| 100 Daingerfield Road, Suite 402 | | | ART UNIT | PAPER NUMBER |
| Alexandria, VA 22314 | | | 2414 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 10/21/2024 | 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):

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| | | | |
|------------------------------|--------------------------------------|--------------------------------------|---------------------------------|
| Office Action Summary | Application No. 17/333,029 | Applicant(s) MARTIN et al. | |
| | Examiner MALICK A SOHRAB | Art Unit 2414 | AIA (FITF) Status Yes |

-- 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 09/03/2024.
☐ 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) 16-36 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) 16-36 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 05/28/2021 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 _____
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 4) ☐ Other: _____

DETAILED ACTION

1. This office action is a response to the Application/Control Number: 17/333,029 filed on 05/28/2021.

Claims Status

2. This office action is based upon claims received on 09/03/2024, which replace all prior or other submitted versions of the claims.

- Claims 1-15 are cancelled.
- Claims 16, 30, 36 are amended.
- Claims 16-36 are pending.
- Claims 16-36 are rejected.

Notice of Pre-AIA or AIA Status

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

Priority

4. Acknowledgment is made of a 371 of PCT/EP2014/060199, filed 05/19/2014.
5. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119 (a)-(d). Receipt is acknowledged of certified copies of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
6. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, 365(c), or 386(c) is acknowledged.

Response to Remarks/Amendments

7. Applicant's remarks/arguments, see pages 1-4 of 4 pages, filed 09/03/2024, with respect to REMARKS/ARGUMENTS, have been noted.

8. Applicant's remarks/arguments, see page 1 of 4 pages, filed 09/03/2024, with respect to the ***Claim Rejections under Double Patenting***, and applicant's remarks pertaining to rejections be held in abeyance and applicant's remarks regarding filing a terminal disclosure have been noted. The double patenting rejections of Claims 16-36 presented in the most recent office action remain in effect and are held in abeyance as requested.

9. Applicant's remarks/arguments, see page 1-2 of 4 pages, filed 09/03/2024, with respect to the ***Claims rejected under 35 U.S.C. 112(a)***, have been considered in light of applicants remarks and arguments presented on the record. The rejections under 35 U.S.C. 112(a) of Claims 16, 30, 36 and dependent Claims 17, 18, 27, 29, 31 are withdrawn in light of applicant's remarks and arguments presented for the record.

10. Applicant's remarks/arguments, see page 1-2 of 4 pages, filed 09/03/2024, with respect to the ***Claims rejected under 35 U.S.C. 112(b)***, have been considered in light of applicant's amendment and remarks. The rejections under 35 U.S.C. 112(b) of Claims 16 - 36 are withdrawn in light of applicant's amendments.

11. Applicant's remarks/arguments, see page 2-3 of 4 pages, filed 09/03/2024, with respect to ***Claim Rejections including independent claims 16, 30, 36*** have been considered but are moot because the arguments do not apply to the new grounds of rejection being used in the current rejection.

Furthermore, remarks with respect to ***Dependent Claims 17-29, 31-35***, have been considered, and are moot for the same reasons noted above, and/or are not persuasive at least via dependency to the independent claims and via individual rejections addressing the specific claims.

The rejection has been revised and set forth below according to the amended claims (see Office Action).

12. To the extent the office relies on Yamada et al. (US 8457151 B2), i.e. "Yamada", examiner respectfully contends applicant's remarks/arguments directed to Yamada are not persuasive, and Yamada as utilized discloses applicant's submitted claim limitations as noted below.

A. Applicant in remarks presented See page 3 of 4 of 4 pages (ln 6-13) utilizing amended Claim 16 as an example, indicates: "while it is not particularly clear on what basis the Office considers the paging request at S114 of Yamada to correspond to the claimed downlink communications, it is clear that Yamada fails to speak to the selection of the operating frequency band position by mobile station 200 for receipt of the paging request. Yamada fails to disclose or teach transmit the downlink communications to the terminal device within the channel, the terminal device having selected the channel to be used for the downlink communications based on the entirety of the identifier associated with the terminal device independently of the base station".

B. In response examiner respectfully contends that applicant's remarks are not persuasive, and notes that the rejection of claim 16 (utilized as example representing parallel features in claim 30, 36) is presented as are rejected under 35 U.S.C. 103 as being unpatentable over Yamada et al. (US 8457151 B2), i.e. "Yamada" in view of Ji et al (US 20160013891 A1), i.e. "Ji", where Yamada is relied upon for the claim 16 limitations pertaining to applicant's remarks as follows:

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