

In re Patent Application of

MAIL STOP AMENDMENT

Jaroslav NUSL

Application No. 13/126,539

Group Art Unit: 2655

Filed: April 28, 2011

Examiner: Saunders, Jr., Joseph

For: METHOD FOR CONTROLLING IN
PARTICULAR LIGHTING
TECHNOLOGY BY AUDIO SIGNAL
AND A DEVICE FOR PERFORMING
THIS METHOD

Conf. No. 4030

AMENDMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicant responds to the Official Action dated April 16, 2013, as follows.

Amendments to the claims begin on Page 2.

Remarks begin on Page 6.

AMENDMENTS TO THE CLAIMS:

The following listing of the claims shall replace all prior listings of the claims.

1. (Currently Amended) A method for controlling ~~in particular lighting~~ a connected technology by audio signal ~~in which the~~ , comprising

converting an analogue signal of the a sound recording into a digital value, characterized by the fact that the obtained data is converted signal,

converting the digital signal from the a time domain to the a frequency domain,

providing a signal corresponding to the digital signal in the frequency domain the obtained values are provided to a plurality of individual attributes with , the individual attributes being a connection or algorithm that generates signals from the signal corresponding to the digital signal in the frequency domain and including pre-set data comprising information regarding which connected technology and which parameter, respectively, are influenced by the individual attribute, after which

generating an actual scene is generated for each attribute of the plurality of attributes at any moment in time, while the

generating a resulting scene is generated from the actual scenes so that the values that do not influence mutually the same parameters of the same technology are merely bundled into the resulting scene and this resulting scene is intended director for and directly controlling the connected technology according to the resulting scene.

2. (Currently Amended) The method as in Claim 1, ~~wherein the acquired data is used to prepare~~ comprising preparing, from the signal corresponding to the digital signal in the frequency domain, at least an arithmetic mean of the sound volume of low, medium and high frequencies in

a short and a long time span and an arithmetic mean of the an overall sound volume in [[a]] the short and the long time span.

3. (Currently Amended) The method as in Claim 1, wherein ~~the~~ pre-set data for the plurality of attributes comprises, for each individual attribute of the plurality of attributes, information on which technology and which parameter, respectively, are influenced by the ~~specific individual~~ attribute [[:]] and wherein the pre-set data is static data or a sequence of scenes in time.

4. (Currently Amended) The method as in Claim ~~[[1]]~~ 3, comprising a plurality of ratio controllers, each ratio controller corresponding to an individual corresponding attribute of the plurality of attributes, wherein the pre-set data for each individual corresponding attribute of assigned to the individual plurality of attributes is influenced by the an output value of the individual corresponding attribute in the a corresponding ratio controller.

5. (Currently Amended) The method as in Claim 4, wherein, in a static scene, a the size of the an output values value of each ratio controller of the plurality of ratio controllers is given linearly in the a same ratio as the an output value of the a corresponding attribute, while in case ~~the a~~ a marginal value of the output of the corresponding attribute is 100%, the output value of the ratio controller shows exactly the same data as defined by the user, and, if the marginal value of the output of the corresponding attribute is 0%, the output of the ratio controller is zero ~~if this concerns~~ , and, in a sequence of scenes in time, the output value of the corresponding attribute influences linearly the a speed of this the sequence in the a range of 0 to 100%, where if the

output value of the corresponding attribute is zero, the output value of the ratio controller is also zero.

6. (Currently Amended) The method as in Claim 4, wherein if ~~the data~~ output values from a ratio controller of the plurality of ratio controllers is zero, it is ignored.

7. (Currently Amended) The method as in Claim 4, ~~wherein comprising~~, if any of the ~~data at the~~ output values of the plurality of ratio controllers influences the same parameters of the same technology, ~~the decision on the prioritizing~~ use of ~~the data~~ an output value from ~~the given one~~ ratio controller of the plurality of ratio controllers ~~shall be made by priority~~.

8. (Currently Amended) The method as in Claim 7, ~~wherein the priority of the comprising~~ linearly prioritizing the ratio controllers ~~is given linearly, where the~~ so that a first connected ratio controller has ~~the~~ a lowest priority and ~~the~~ a last ratio controller ~~the~~ has a highest priority.

9. (Currently Amended) A device ~~to perform~~ for performing the method as in claim 1, comprising

an A/D converter comprising an ~~the~~ input ~~of the~~ for receiving an analogue audio signal ~~to which an A/D converter is connected~~ and converting it into a digital signal, wherein

a signal converter for converting the digital ~~of the~~ signal from the a time domain ~~to the~~ a frequency domain ~~is~~ connected to the A/D converter, and

a plurality of attributes, information elements, and ratio controllers, each ~~an~~ attribute of the plurality of attributes being connected to ~~an~~ a corresponding information element of the

plurality of information elements by way of a corresponding ratio controller of the plurality of ratio controllers is connected to its output, where

a switch is attached to ~~all~~ each information element of the plurality of information elements ~~to (5b.n) to allow an immediate attachment of the information element at the output .~~

10. (Currently Amended) The device as in Claim 9, ~~wherein~~ comprising an averaging device ~~is~~ connected to the signal converter of the signal from the time domain to the frequency domain and to the A/D converter in order to average ~~the~~ values from the frequency and time domains, ~~where~~ the plurality of attributes ~~to are~~ being connected to its an output of the averaging device.

11. (Currently Amended) The device as in Claim 10, ~~wherein~~ comprising a complementing unit ~~is~~ installed between the switch and ~~the~~ individual ratio controllers of the plurality of ratio controllers ~~to~~ .

REMARKS

Reconsideration is requested for claims 1-11.

Claims 1-11 were rejected under 35 U.S.C. 112, second paragraph. The claims have been amended to address the grounds for rejection and withdrawal of the rejection is cordially urged.

Claims 1 and 3-9 were rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/99475 to *Dowling*. Claims 2 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dowling* in view of U.S. Patent No. App. Pub. US2006/0038498 to *Manrer*. Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Dowling* in view of U.S. Patent No. 3,869,699 to *Haller et al.*

Claim 1 defines a method for controlling a connected technology by audio signal, comprising converting an analogue signal of a sound recording into a digital signal, converting the digital signal from a time domain to a frequency domain, providing a signal corresponding to the digital signal in the frequency domain to a plurality of individual attributes, the individual attributes being a connection or algorithm that generates signals from the signal corresponding to the digital signal in the frequency domain and including pre-set data comprising information regarding which connected technology and which parameter, respectively, are influenced by the individual attribute, generating an actual scene for each attribute of the plurality of attributes at any moment in time, generating a resulting scene from the actual scenes and directly controlling the connected technology according to the resulting scene.

The applicant understands the Official Action to consider an "effect" as produced via the method and apparatus of *Dowling* to correspond to an attribute. The applicant maintains that *Dowling* does not disclose a combination of steps including providing a signal corresponding to the digital signal in the frequency domain to a plurality of individual attributes, the individual

attributes being a connection or algorithm that generates signals from the signal corresponding to the digital signal in the frequency domain and including pre-set data comprising information regarding which connected technology and which parameter, respectively, are influenced by the individual attribute.

In view of the differences between claim 1 and *Dowling*, the applicant respectfully submits that claim 1 is not anticipated by and defines patentably over *Dowling*. The applicant submits that the other applied art does not cure the defects of *Dowling*. Withdrawal of the rejections is cordially urged.

To the extent that any extensions of time are necessary in connection with this application it is requested that there be a standing petition for extension of time and that any additional fees that are required, or refunds due, in connection with this or any other paper filed in connection with this application be charged to Deposit Account 503015.

If the Examiner should be of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned.

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Alexandria, VA 22314
(703) 299-0953

Respectfully submitted,
WRB-IP LLP

Date: August 15, 2013

By: /Harold R. Brown III/
Harold R. Brown III
Registration No. 36,341

In re Patent Application of

MAIL STOP AMENDMENT

Jaroslav NUSL

Application No. 13/126,539

Group Art Unit: 2655

Filed: April 28, 2011

Examiner: Saunders, Jr., Joseph

For: METHOD FOR CONTROLLING IN
PARTICULAR LIGHTING TECHNOLOGY
BY AUDIO SIGNAL AND A DEVICE FOR
PERFORMING THIS METHOD

Conf. No. 4030

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

(Check)	Extension Requested	Large Entity Fee	Small Entity Fee	Micro Entity Fee	
X	One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$100.00
	Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	
	Three months (37 CFR 1.17(a)(3))	\$1400	\$700	\$350	
	Four months (37 CFR 1.17(a)(4))	\$2200	\$1100	\$550	
	Five months (37 CFR 1.17(a)(5))	\$3000	\$1500	\$750	
	Second month	\$400	\$200	\$100	
	Second and third months	\$1200	\$600	\$300	
	Second, third, and fourth months	\$2000	\$1000	\$500	
	Second, third, fourth, and fifth months	\$2800	\$1400	\$700	
	Third month	\$800	\$400	\$200	
	Third and fourth month	\$1600	\$800	\$400	
	Third, fourth, and fifth month	\$2400	\$1200	\$600	
	Fourth month	\$800	\$400	\$200	
	Fourth and fifth month	\$1600	\$800	\$400	
	Fifth month	\$800	\$400	\$200	

- Applicant claims small entity status.
- A check in the amount of the fee is enclosed
- Payment by credit card. Payment made electronically through EFS.
- Payment by credit card. Form PTO-2038 is attached
- The Director has already been authorized to charge fees in this application to a Deposit Account
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 503015.

In any concurrent or future reply that requires a petition for extension of time under 37 C.F.R. 1.136(a) to be timely, the applicant requests by the present petition be treated as a petition for extension of time, and authorizes all required fees, fees under 37 C.F.R. 1.17, or all required extension of time fees to be charged to Deposit Account 503015.

801 N. Pitt Street, Suite 123
Alexandria, VA 22314
(703) 299-0953

Respectfully submitted,
WRB-IP LLP

Date: August 15, 2013

By: /Harold R. Brown III/
Harold R. Brown III
Registration No. 36,341

Electronic Patent Application Fee Transmittal

Application Number:	13126539
Filing Date:	28-Apr-2011
Title of Invention:	METHOD FOR CONTROLLING IN PARTICULAR LIGHTING TECHNOLOGY BY AUDIO SIGNAL AND A DEVICE FOR PERFORMING THIS METHOD
First Named Inventor/Applicant Name:	Jaroslav NUSL
Filer:	Harold R. Brown III
Attorney Docket Number:	000036-005

Filed as Small Entity

U.S. National Stage under 35 USC 371 Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	100	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				100

Electronic Acknowledgement Receipt

EFS ID:	16602449
Application Number:	13126539
International Application Number:	
Confirmation Number:	4030
Title of Invention:	METHOD FOR CONTROLLING IN PARTICULAR LIGHTING TECHNOLOGY BY AUDIO SIGNAL AND A DEVICE FOR PERFORMING THIS METHOD
First Named Inventor/Applicant Name:	Jaroslav NUSL
Customer Number:	44012
Filer:	Harold R. Brown III
Filer Authorized By:	
Attorney Docket Number:	000036-005
Receipt Date:	15-AUG-2013
Filing Date:	28-APR-2011
Time Stamp:	16:05:37
Application Type:	U.S. National Stage under 35 USC 371

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Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$100
RAM confirmation Number	2524
Deposit Account	503015
Authorized User	BROWN, HAROLD R

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. 1.492 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		13-08-15amendment1.pdf	1863532 <small>dcfea15fdbcb86862af61e367ee3951f6bb6706b3</small>	yes	7
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	5	
Applicant Arguments/Remarks Made in an Amendment		6	7		
Warnings:					
Information:					
2	Extension of Time	13-08-15EOT1.pdf	453151 <small>26ab2cb220eb68ca60ca3628bca7d0b02ba02c8b</small>	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30418 <small>d71144ba5c0419efc36c02e9af36e1f2e620efca</small>	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2347101		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.