

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 30

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte RICHARD V. GIDDINGS, LLOYD A. RACHOR,  
LARRY L. STICKLER and H. OTTO VON DER HOFF II

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Appeal No. 1998-1509  
Application No. 07/811,509

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ON BRIEF

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Before THOMAS, KRASS and BARRY, Administrative Patent Judges.  
KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1, 3-6, 12-16, 25-28 and 30-32. Claims 7-11, 17-24, 33 and 34 have been indicated by the examiner as being directed to allowable subject matter.

Appeal No. 1998-1509  
Application No. 07/811,509

The invention pertains to the controlling of an operating environment in a control space, such as a house. More particularly, the operating environment is controlled as a function of any of a plurality of control space states or designated conditions. Each of a plurality of separate controllers is capable of conventional autonomous operation but has the added capability of operating under centralized direction from a state vector controller to function in concert with the other operating environment controllers to achieve a desired total operating environment.

Representative independent claim 1 is reproduced as follows:

1. A system for determining the operating environment in a control space as a function of any of a plurality of control space states by means of individually controllable apparatuses responsive to operating point signals derived from the control space states, the system comprising:

a state vector controller for supplying a state vector signal indicative of any of a plurality of states of the control space, the state vector signal specifying an address for a control function in a set of addressable control functions;

a plurality of operating environment controllers for furnishing operating point signals to apparatuses affecting separate parameters which characterize the operating environment of the control space, at least each of first and second operating environment controllers of said plurality of

Appeal No. 1998-1509  
Application No. 07/811,509

operating environment controllers having stored therein a set of addressable control functions accessible by a state vector signal, and operable in response thereto to furnish first operating point signals to apparatuses respectively associated with said first and second operating environment controllers, the sets of addressable control functions in said first and second operational [sic, operating] environment controllers being arranged so that a common state vector signal causes both of said first and second operating environment controllers to furnish operating point signals having values which cause the apparatuses respectively associated therewith to act in concert; and

communication means connecting said state vector controller and said plurality of operating environment controllers for conveying the state vector signal to at least said first and second operating environment controllers.

The examiner relies on the following references:

Mandl	4,308,911	Jan. 5, 1982
Launey et al. (Launey)	5,086,385	Feb. 4, 1992

Claims 1, 3-6, 12-16, 25-28 and 30-32 stand rejected under 35 U.S.C. 103. As evidence of obviousness, the examiner cites Launey with regard to claims 1, 3, 12, 13 and 28, adding Mandl with regard to claims 4-6, 14-16, 25-27 and 30-32.

Reference is made to the brief and answer for the respective positions of appellants and the examiner.

OPINION

Appeal No. 1998-1509  
Application No. 07/811,509

We reverse.

We agree with the examiner that Launey discloses a system and method for determining the operating environment in a control space analogous to the instant claimed invention wherein Launey's central processor 10 may be considered analogous to appellants' claimed state vector controller.

We also agree with the examiner that, contrary to appellants' position, Launey does identify a clearly recognizable common signal or signal command supplied by the central processor to a plurality of controllers for deriving individual control functions. This is clearly taught by Launey at column 22, lines 5-8, for example. Thereat, Launey discusses the "mood control" function wherein "single commands" set an entire living environment in the home so that lighting and music might be adjusted for a party. Thus, similar to appellants' invention, Launey's central processor (state vector controller) is used to provide a single command for controlling entertainment and lighting controllers.

Appeal No. 1998-1509  
Application No. 07/811,509

The problem, as we view it, is that Launey does not specify or suggest that such control is effected by the central processor accessing "a set of addressable control functions" wherein that set of addressable control functions is in the operating environment controllers (i.e., the lighting and music controllers) and arranged so that the single signal from the central processor causes the plurality of operating environment controllers to furnish operating point signals to cause apparatuses to operate in concert, as claimed. While each of independent claims 1, 12 and 28 describes the invention in a slightly different manner, each claim requires, in one form or another, the "set of addressable control functions," stored in the operating environment controllers and accessible by a state vector signal, to be arranged so that a common signal will address the control functions to cause the apparatuses controlled by the operating environment controllers to function in an integrated manner, or in concert.

There is no indication in Launey that the operating environment controllers in Launey operate in such a manner so as to include a "set of addressable control functions" in the

Appeal No. 1998-1509  
Application No. 07/811,509

controllers which may be accessed by a common signal from the central processor such that the addressable control functions cause controlled apparatuses to function in concert. The examiner has pointed to no such indication in the disclosure of Launey. In fact, the examiner specifically states that Launey fails to disclose the addressable locations within each secondary controller for determining control functions. But, while this is not disclosed by Launey, the examiner takes the position that it would have been obvious "to decentralize the control as claimed...because this would allow for a quicker acting system as the central controller would not be as complicated" [Paper No. 18 - page 4]. Whether or not it would have been obvious to "decentralize the control," the examiner's response fails to provide any reason why it would have been obvious, within the meaning of 35 U.S.C. 103, to have provided for the set of addressable control functions in the operating environment controllers, accessible by a state vector signal, in order to cause controlled apparatuses to function in an integrated manner, as claimed.

Appeal No. 1998-1509  
Application No. 07/811,509

The Mandl reference is of no help in providing for the deficiencies of Launey as Mandl does not suggest any such set of addressable control functions, Mandl being employed by the examiner for its teaching of an "energy save" mode.

Accordingly, the examiner's decision rejecting claims 1, 3-6, 12-16, 25-28 and 30-32 under 35 U.S.C. 103 is reversed.

REVERSED

JAMES D. THOMAS	)	
Administrative Patent Judge	)	
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	)	
ERROL A. KRASS	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
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	)	
	)	
LANCE LEONARD BARRY	)	
Administrative Patent Judge	)	

Appeal No. 1998-1509  
Application No. 07/811,509

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