

REMARKS

This amendment responds to the Office Action, in which the Examiner:

- rejected claims 1-20 under 35 U.S.C. §112(a) (“§112(a)”);
- rejected claims 1, 5-11, 13, 15-17, 19, and 20 under 35 U.S.C. §103 (“§103”) over U.S. Patent App. Publication No. 2022/0100148 A1 to Vasavada et al. (hereinafter “Vasavada”);
- rejected claims 2, 4, 14, and 18 under §103 over Vasavada, in view of U.S. Patent App. Publication No. 2017/0244811 A1 to McKenzie et al. (hereinafter “McKenzie”);
- rejected claim 3 under §103 over Vasavada, view of McKenzie, and further in view of U.S. Patent App. Publication No. 2017/0278202 A1 to Mimassi (hereinafter “Mimassi”); and
- rejected claim 12 under §103 over Vasavada, in further view of Official Notice.

REMARKS CONCERNING CLAIMS

Claims 1-2 and 5-20 have been amended.

Support for the amendments can be found in at least paragraphs [0046]-[0057],[0078] [0187]-[0191], [0197]-[0198], and [0249] of the application as filed. No new matter has been added.

With respect to all amendments, Applicant has not dedicated or abandoned any unclaimed subject matter. Moreover, Applicant has not acquiesced to any characterizations of the invention, nor any rejections or objections of the claims, made by the Examiner. Moreover, the Applicant hereby rescinds any prior disclaimer of claim scope, to the extent they exist, made during the prosecution of this application or made during the prosecution of any patent or other related patents/applications, and advises the Examiner that any such previous disclaimers and the cited references that they were made to avoid may need to be revisited.

After entry of this amendment, the claims 1-20 remain pending.

REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 112

I. REJECTION OF CLAIMS 1-20 UNDER §112(A) AS FAILING TO COMPLY WITH THE WRITTEN DESCRIPTION REQUIREMENT.

Applicant submits that the claim 1, as amended, is supported by the written description. The Office Action alleges that the terms “graphics processing tasks,” “graphical data,” and “renderable graphical data” are not supported in the written description. Office Action at pages 2-3. For the sake of efficient prosecution and without acquiescence, amended claim 1 no longer recites these terms and now recites the terms “image data processing tasks and one or more image data presenting tasks,” “image data,” and “upsampled image data.” These terms are supported by at least paragraphs [0197]-[0198] of the written description.

Accordingly, Applicant respectfully requests withdrawal of these rejections.

REMARKS CONCERNING REJECTIONS UNDER 35 U.S.C. 103

II. REJECTION OF CLAIMS 1, 5-11, 13, 15-17, 19, AND 20 UNDER §103 AS BEING UNPATENTABLE OVER VASAVADA.

Claim 1, as amended, recites (i) “in accordance with a determination that a thermal level of the head-wearable device requires distributing the one or more image data processing tasks to the handheld intermediary processing device” and (ii) “receive one or more input commands from the wrist-wearable device; and cause execution of an action at the head-wearable device based on the one or more input commands.” The Office Action relies on Vasavada to allegedly teach the limitations of claim 1. Office Action at pages 9-11.

First, the cited portions of Vasavada do not teach or suggest “in accordance with a determination that a thermal level of the head-wearable device requires distributing the one or more image data processing tasks to the handheld intermediary processing device, cause performance of the one or more image data processing tasks at the handheld intermediary processing device” as claimed. While the cited portions of Vasavada mention that “offloading computing tasks from the HMD to the wristband system may reduce heat generation...in the HMD,” that is neither a teaching nor suggestion of what amended claim 1 requires, which is “a determination that a thermal level of the head-wearable device requires distributing the one or more image data processing tasks to the handheld intermediary processing device” (emphasis

added), as claimed. Vasavada at ¶¶ [0034]-[0035]. Thus, the cited portions of Vasavada do not teach or suggest the above-mentioned limitation of claim 1, as amended.

Second, amended claim 1 also clarifies that a wrist-wearable device serves as an input device for the head-wearable device while the handheld intermediary processing device is used for a redistribution of image processing tasks, with amended claim 1 now requiring “receiv[ing] one or more input commands from the wrist-wearable device; and caus[ing] execution of an action at the head-wearable device based on the one or more input commands,” wherein the “wrist-wearable device [is] distinct from the handheld intermediary processing device.” This further differentiates amended claim 1 from the references. The Office Action indicates that Vasavada’s wristband system is both a handheld intermediary processing device and a wrist-wearable device. Office Action at page 11. However, it would not have been obvious to modify the disclosure of Vasavada in order to provide that the wristband system is two distinct devices: the handheld intermediary processing device for the redistribution of image processing tasks and the wrist-wearable device for receiving the one or more input commands for controlling the head-wearable device. The Office Action does not demonstrate a motivation to modify Vasavada to create a three-device system (with the handheld intermediary processing device, the wrist-wearable device and the head-wearable device) with each device performing as recited in claim 1, as amended.

Thus, claim 1, as amended, is patentable over the cited portions of Vasavada at least because the cited portions of Vasavada do not teach or suggest (i) “in accordance with a determination that a thermal level of the head-wearable device requires distributing the one or more image data processing tasks to the handheld intermediary processing device” and (ii) “receive one or more input commands from the wrist-wearable device; and cause execution of an action at the head-wearable device based on the one or more input commands,” as claimed.

Independent claims 13 and 17, as amended, recite analogous features to those recited in claim 1, as amended. Therefore, independent claims 13 and 17, as amended, are patentable over the cited portions of Vasavada, as discussed above.

Dependent claims 5-11, 15-16, and 19-20 depend from independent claims 1, 13, and 17, respectively, and are patentable over the cited portions of Vasavada, at least by virtue of their respective dependencies from claims 1, 13, and 17, as amended.

Accordingly, Applicant respectfully requests withdrawal of these rejections.

III. REJECTION OF CLAIMS 2, 4, 14, AND 18 UNDER §103 AS BEING UNPATENTABLE OVER VASAVADA, IN VIEW OF MCKENZIE.

Claims 2, 4, 14, and 18 depend from claims 1, 13, and 17, respectively, and are therefore patentable over the cited portions of Vasavada, in view of McKenzie, for at least the reasons explained above with reference to independent claims 1, 13, and 17. McKenzie is not cited for and does not teach or suggest the above-discussed features. Therefore, claims 2, 4, 14, and 18 are patentable over the alleged combination of Vasavada, in view of McKenzie.

Accordingly, Applicant respectfully requests withdrawal of these rejections.

IV. REJECTION OF CLAIM 3 UNDER §103 AS BEING UNPATENTABLE OVER VASAVADA, VIEW OF MCKENZIE, AND FURTHER IN VIEW OF MIMASSI.

Claim 3 depends from claim 1 and is therefore patentable over the cited portions of Vasavada, in view of McKenzie, and in further view of Mimassi for at least the reasons explained above with reference to independent claim 1. Mimassi is not cited for and does not teach or suggest the above-discussed features. Therefore, claim 3 is patentable over the alleged combination of Vasavada, in view of McKenzie, and in further view of Mimassi.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

V. REJECTION OF CLAIM 12 UNDER §103 AS BEING UNPATENTABLE OVER VASAVADA, IN FURTHER VIEW OF OFFICIAL NOTICE.

Claim 12 depends from claim 1 and is therefore patentable over the cited portions of Vasavada for at least the reasons explained above with reference to independent claim 1. Therefore, claim 12 is patentable over the cited portions of Vasavada.

Accordingly, Applicant respectfully requests withdrawal of this rejection.

CONCLUDING REMARKS

By responding in the foregoing remarks only to particular positions asserted by the examiner, the Applicant does not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (206) 274-6437, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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