

REMARKS

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

- rejected claims 1-3, 5-11, 13, 15, and 17-20 under 35 U.S.C. §103 (“§103”) as being unpatentable over U.S. Patent No. 11,150,730 B1 to Anderson et al. (hereinafter “Anderson”), in view of U.S. Patent App. Publication No. 2013/0120254 A1 to Mun et al. (hereinafter “Mun”);
- rejected claim 4 under §103 as allegedly being unpatentable over Anderson, in view of Mun, further in view of U.S. Patent App. Publication No. 2022/0197392 A1 to Zhou et al. (hereinafter “Zhou”);
- rejected claim 12 under §103 as allegedly being unpatentable over Anderson, in view of Mun, further in view of U.S. Patent App. Publication No. 2012/0124516 A1 to Friedman (hereinafter “Friedman”);
- rejected claim 14 under §103 as allegedly being unpatentable over Anderson, in view of Mun, further in view of U.S. Patent App. Publication No. 2021/0096726 A1 to Faulkner et al. (hereinafter “Faulkner”); and
- rejected claim 16 under §103 as allegedly being unpatentable over Anderson, in view of Mun, further in view of U.S. Patent App. Publication No. 2016/0048215 A1 to Shin et al. (hereinafter “Shin”).

SUBSTANCE OF INTERVIEW

Applicant’s attorneys thank Examiner Tran for the opportunity to discuss the application during a telephone interview on April 15, 2025 with Matthew Walker and Annaliese Parker (working on the supervision of Attorney Walker). In the interview, proposed amendments to claim 1 were discussed. The examiner agreed that the proposed amendments appear to overcome the current rejections, but requires additional time for search and further consideration. Claim 1 has been amended in accordance with the proposals discussed in the interview. Analogous amendments have been made to claims 19 and 20.

REMARKS CONCERNING CLAIMS

Claims 1 and 18-20 have been amended.

Claim 10 has been canceled.

Claim 21 has been added.

Support for the amendments can be found in at least paragraphs [0103], [0118], [0122], [0315], [0331], and [0361], and Figure 1D 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 1-9 and 11-21 remain pending.

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

I. REJECTION OF CLAIMS 1-3, 5-11, 13, 15, AND 17-20 UNDER §103 AS ALLEGEDLY BEING UNPATENTABLE OVER ANDERSON, IN VIEW OF MUN

Independent claim 1, as amended, is reproduced below for ease of reference:

A method of using a multi-stage in-air hand gesture detected at a wrist-wearable device to activate user-interface interactions, the method comprising:

receiving, via one or more sensors of a wrist-wearable device worn by a user, data generated from performance of a multi-stage in-air hand gesture by the user;

in accordance with a determination that a first stage of the multi-stage in-air hand gesture is a priming gesture, activating a user interface **and one or more additional sensors of the wrist-wearable device;**

in accordance with a determination that a last stage of the multi-stage in-air hand gesture is a control gesture received within a predefined threshold amount of time after the priming gesture, executing a command for the user interface that corresponds to the control gesture, **wherein the control gesture is detected using at least the one or more additional sensors;**

deactivating the user interface and the one or more additional sensors;

after deactivating the user interface and the one or more additional sensors, receiving, via the one or more sensors of the wrist-wearable device worn by the user, additional data generated from performance of another multi-stage in-air hand gesture by the user;

in accordance with a determination that a first stage of the other multi-stage in-air hand gesture is another priming gesture, activating the user interface and the one or more additional sensors; and

in accordance with a determination that the control gesture is not detected within the predefined threshold amount of time of the other priming gesture, deactivating the user interface and the one or more additional sensors.

First, claim 1 recites “*in accordance with a determination* that a first stage of the multi-stage in-air hand gesture *is a priming gesture, activating* a user interface and *one or more additional sensors of the wrist-wearable device.*” During the examiner interview, the Examiner indicated that the discussed proposed amendment to claim 1 including “activating . . . one or more additional sensors of the wrist-wearable device” contained features not taught or suggested in the cited references and would require further search and consideration.

With respect to activating one or more additional sensors, an example embodiment is described in the specification, in which the “wearable device . . . is in a low-power or sleep state prior to receipt of the priming gesture and the wearable device transitions to a full power or awake state in response to the priming gesture.” (Application as filed paragraph 103). For example, after receiving the priming gestures, one or more additional sensors of the wrist-wearable device can be activated. The specification further illustrates that, “often, the IMU-based sensors can be less power-intensive and thus, gating the EMG gesture space until after the IMU-based wake gesture is received can help to ensure that the device makes efficient use of limited power and computing resources.” (Application as filed paragraph 118). For example, prior to the priming gesture (e.g., an IMU-based wake gesture), the wrist-wearable device is in a sleep mode configured to save power and only operate a subset of sensors configured to optimize the lowest power. Subsequently, after the priming gesture is received (e.g., subsequently un-

gating the EMG gesture space), one or more additional sensors are activated (e.g., EMG based gestures) and configured to detect one or more gestures, in an example embodiment.

Second, during the examiner interview, certain clarifying changes were discussed to help advance prosecution. To that end, claim 1 has been amended to recite “deactivating the user interface and the one or more additional sensors [and] after deactivating the user interface and the one or more additional sensors, receiving, via the one or more sensors of the wrist-wearable device worn by the user, additional data generated from performance of another multi-stage in-air hand gesture by the user.”

Thus, for the reasons mentioned above, amended claim 1 and its dependent claims are patentable over Anderson in view of Mun. Amended independent claims 19 and 20 recite features analogous in scope to those present in claim 1 and, therefore, these claims are patentable over Anderson in view of Mun for analogous reasons to those discussed above with respect to independent claim 1.

The claims depending from independent claims 1, 19, and 20 are patentable at least by virtue of their respective dependencies on these patentable independent claims. In view of above, Applicant respectfully requests withdrawal of the rejections of independent claims 1, 19, and 20 and dependent claims 2-3, 5-9, 11, 13, 15, and 17-18.

II. REJECTION OF CLAIM 4 UNDER §103 AS BEING UNPATENTABLE OVER ANDERSON, IN VIEW OF MUN, FURTHER IN VIEW OF ZHOU

Claim 4 depends from amended independent claim 1 via intervening claim 2 and is therefore patentable over Anderson in view of Mun for at least the reasons explained above with reference to independent claim 1. Zhou is not cited for, and does not teach or suggest, the above-discussed features. Therefore, independent claim 1 and its dependent claims, including claim 4, are patentable over the combination of Anderson, Mun, and Zhou. Applicant respectfully requests withdrawal of these rejections in view of this and in view of the additional limitations in claim 4 that are neither taught nor suggested by the cited references.

III. REJECTION OF CLAIM 12 UNDER §103 AS BEING UNPATENTABLE OVER ANDERSON, IN VIEW OF MUN, FURTHER IN VIEW OF FRIEDMAN

Claim 12 depends from amended independent claim 1 via intervening claim 11 and is therefore patentable over Anderson in view of Mun for at least the reasons explained above with reference to independent claim 1. Friedman is not cited for, and does not teach or suggest, the

above-discussed features. Therefore, independent claim 1 and its dependent claims, including claim 12, are patentable over the combination of Anderson, Mun, and Friedman. Applicant respectfully requests withdrawal of these rejections in view of this and in view of the additional limitations in claim 12 that are neither taught nor suggested by the cited references.

IV. REJECTION OF CLAIM 14 UNDER §103 AS BEING UNPATENTABLE OVER ANDERSON, IN VIEW OF MUN, FURTHER IN VIEW OF FAULKNER

Claim 14 depends from amended independent claim 1 and is therefore patentable over Anderson in view of Mun for at least the reasons explained above with reference to independent claim 1. Faulkner is not cited for, and does not teach or suggest, the above-discussed features. Therefore, independent claim 1 and its dependent claims, including claim 14, are patentable over the combination of Anderson, Mun, and Faulkner. Applicant respectfully requests withdrawal of these rejections in view of this and in view of the additional limitations in claim 14 that are neither taught nor suggested by the cited references.

V. REJECTION OF CLAIM 16 UNDER §103 AS BEING UNPATENTABLE OVER ANDERSON, IN VIEW OF MUN, FURTHER IN VIEW OF SHIN

Claim 16 depends from amended independent claim 1 and is therefore patentable over Anderson in view of Mun for at least the reasons explained above with reference to independent claim 1. Shin is not cited for, and does not teach or suggest, the above-discussed features. Therefore, independent claim 1 and its dependent claims, including claim 16, are patentable over the combination of Anderson, Mun, and Shin. Applicant respectfully requests withdrawal of these rejections in view of this and in view of the additional limitations in claim 16 that are neither taught nor suggested by the cited references.

REMARKS CONCERNING NEW DEPENDENT CLAIMS

New dependent claim 21 depends from, and includes all limitations in, amended claim 1. As such, new dependent claim 21 is patentable over the cited references for at least analogous reasons to those discussed above regarding claim 1.

Accordingly, Applicant respectfully requests that the Examiner consider the new dependent claims 1-9 and 11-21 with a view towards allowance.

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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