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### **DETAILED ACTION**

1. The present application is being examined under the pre-AIA first to invent provisions.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/22/2016 has been entered.
3. Claims 5-7, 9-11, 13-23, 30, 31, 33-37, and 39-42 are currently pending. Claims 1-4, 8, 12, 24-29, 32, 38 have been cancelled. No claims have been added. Claims 5-7, 9-11, 14-16, 18, 21-23, 30, 31, 33-37, 39, 41, and 42 have been currently amended.

### ***Objections – Withdrawn***

4. The Claim Objections of claim 33 is withdrawn as necessitated by amendment.

### ***Rejections - Withdrawn***

5. The previous 35 U.S.C §103 rejection of claims 5, 6, 9, 10, 11, 13-15, 21, 30, 31, 33-37, and 40-42 over Haff in view of Agrawal is withdrawn as necessitated by amendment.
6. The previous 35 U.S.C §103 rejection of claim 7 over Haff in view of Agrawal in further view of Kandekar is withdrawn as necessitated by amendment.

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7. The previous 35 U.S.C §103 rejection of claim 12 over Haff in view of Agrawal in further view of Logan is withdrawn as necessitated by cancellation.
8. The previous 35 U.S.C §103 rejection of claim 16 over Haff in view of Agrawal in further view of Berkowitz is withdrawn as necessitated by amendment.
9. The previous 35 U.S.C §103 rejection of claims 17 and 18 over Haff in view of Agrawal in further view of Byers is withdrawn as necessitated by amendment.
10. The previous 35 U.S.C §103 rejection of claim 19 and 20 over Haff in view of Agrawal in further view of Istvan is withdrawn as necessitated by amendment.
11. The previous 35 U.S.C §103 rejection of claims 22 and 23 over Haff in view of Agrawal in further view of Bullock is withdrawn as necessitated by amendment.
12. The previous 35 U.S.C §103 rejection of claim 39 over Haff in view of Agrawal in further view of Deng is withdrawn as necessitated by amendment.

### ***Response to Arguments***

13. Applicant's arguments filed 01/22/2016 have been fully considered but are moot in view of the new grounds of rejection.

However, assuming arguendo, Applicant argues with respect to claim 5:

In the Office Action, it is acknowledged that Haff does not teach "receiving a command to navigate to [a] position, in the item of dynamic content, that corresponds to [a] content element," as recited in Claim 5 as previously pending. For at least the same reason, applicant submits that Haff does not further teach or suggest "receiving a command to navigate to a desired position in the item of audio content, wherein the desired position is specified with reference to the content element within the item of textual content," as recited in Claim 5 as amended. The distinctions between Haff and the present claims are further apparent in view of the fact that the teachings Haff appear to be limited to a device enabling a user to switch between "an electronic book reading mode and an audio book playback mode." Haff, Abstract and FIG. 3. No portion of Haff teaches or suggests navigating an "item of audio content" by specifying a desired position "with reference to [a] content element within [a] item of textual content," as recited in Claim 5. For the same reasons, there would appear to be no reason, in the system of Haff, to "determin[e], from at least [] synchronization information, that the desired position in the item of audio content, specified with reference to the content element within the item of textual content, is [a] first position in the item of audio content," as recited in Claim 5.

Agrawal does not cure the deficiencies of Haff. Agrawal purports to teach a system that allows rich media files to be searched for relevant terms. Agrawal, 1 0018. Specifically, in the system taught by Agrawal, a rich media file is analyzed to determine terms used therein. Agrawal, 1 0043. Thereafter, a user initiates a query for those terms, and the system of

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Agrawal returns a list of locations within the rich media where those terms occur. Agrawal, 1 0045-0047. Agrawal therefore teaches a system for searching a content item by specifying terms within that content item. The system of Agrawal does not teach or suggest "receiving a command to navigate to a desired position in [an] item of audio content, wherein the desired position is specified with reference to [a] content element within [an] item of textual content," as recited in Claim 5. Indeed, no portion of Agrawal appears to contemplate different items of content, much less navigating an audio content by specifying a desired position "with reference to [a] content element within [an] item of textual content." Instead, Agrawal simply enables a user to directly search a rich media file. For the same reasons, there would be no reason for the system of Agrawal to teach or suggest "determining, from at least the synchronization information, that the desired position in the item of audio content, specified with reference to the content element within the item of textual content, is the first position in the item of audio content," as recited in Claim 5.

Further, the combination of Haff and Agrawal does not teach or suggest the recitations of Claim 5. If one of skill in the art were to combine the teachings of Haff and Agrawal (which applicant do not necessarily concede), such a combination would appear to result in a system that allows a user to switch between reading an electronic book and listening to an audio book, as taught in Haff, while also allowing a user to search within whatever content was currently being consumed (e.g., by searching in the electronic book while reading, or while searching within the audio book while listening), as taught in Agrawal. No combination of Haff and Agrawal teaches or suggests "receiving a command to navigate to a desired position in the item of audio content, wherein the desired position is specified with reference to the content element within the item of textual content," as recited in Claim 5. Moreover, there would be no reason within a combination of Haff and Agrawal to "determin[e], from at least the synchronization information, that the desired position in the item of audio content, specified with reference to the content element within the item of textual content, is the first position in the item of audio content," as recited in Claim 5.

Thus, applicant respectfully submits that a prima facie case of obviousness with respect to Claim 5 cannot be made and that Claim 5 is patentably distinct from Haff, Agrawal, and the other art of record, individually or in combination. Accordingly, applicant respectfully requests that the rejection of Claim 5 under 35 U.S.C. § 103(a) be withdrawn and the claim be allowed.

Examiner notes that Applicant's arguments are directed to the newly amended claim language. The current references as a whole teach the newly recited claim language. In regards to Agrawal, Agrawal does teach "receiving a command to navigate to a desired position in [an] item of audio content, wherein the desired position is specified with reference to [a] content element within [an] item of textual content". Agrawal specifically states receiving a search query [0045]. Agrawal also teaches that "a user requests a search for occurrences of the word "jedi" within the movies database using a web-based search engine (940). The system 905 searches for occurrences of the term that are similar to the word "jedi" within the index of terms" [0051]. Although paragraph [0051] is directed to video content, audio content would be an obvious variation. Hence, Agrawal does teach receiving a command to navigate to a desired position in the item of audio content. Further, Agrawal also teach "wherein the desired position is specified with reference to the content element within the item of textual

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content". Agrawal discloses an index is produces with a list of terms occurring within a media file to aid in search queries [0043] and the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms [0051]. Thus, the desired position is specified with reference to the content element within the item of textual content according to Agrawal.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., contemplating different items of content) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Agrawal also teaches the "determining" step. Agrawal teaches an index with a list of terms occurring within a file for aiding search queries [0043] and that the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms [0051]. Examiner notes that using correlated, synchronized textual content would enhance the accuracy of audio content search results. See below for the current 103 rejection of claim 5.

Applicant further argues that that the independent claims reciting substantially similar limitations, and all dependent claims are allowable for the reasons argued above.

The Office respectfully disagrees, and counter-asserts the rationale set forth above.

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Applicant additionally argues with respect to claim 9:

... Claim 9 recites that "the content element" specified to navigate the audio content "comprises a syntax structure of the item of textual content." In the Office Action, paragraphs 52 and 60 of Haff are cited to allegedly teach Claim 9. But these paragraphs of Haff merely teach that text has a syntax structure. Haff, 1 0052 ("The user's position [in text] may be measured with respect to a word, a sentence, or a paragraph.") and 10060 (discussing switching between listening and reading as having an accuracy "within a sentence or paragraph of where the user stopped reading or listening"). These portions of Haff do not teach or suggest navigating an audio content by specifying a desired position with reference to a syntax structure of a textual content. Similarly, paragraph 32 of Agrawal is cited in the Office Action as teaching Claim 9, but merely states that when a user navigates to a term within an audio content, playback may begin at some point prior to that term, such as a point that the system of Agrawal guesses is the beginning of a sentence. These teachings of Agrawal therefore merely relate to using the syntax structure of a given content to navigate that same content. Agrawal thus does not teach or suggest navigating an audio content by specifying a desired position with reference to a syntax structure of a textual content, as recited in Claim 9 (when read in the context of Claim 5). Accordingly, applicant respectfully requests that the rejection of dependent Claims 6, 9-11, 13, and 40 under 35 U.S.C. § 103(a) be withdrawn and the claims be allowed.

Examiner notes that Applicant's arguments are directed to the newly amended claim language. Moreover, Agrawal teaches navigating video content (audio content is an obvious variation) by specifying a desired position with reference to a syntax structure of a textual content. Agrawal discloses a user requests a search for occurrences of the word "jedi" in the video content, "jedi" being the syntax structure of a textual content [0051]. See below for the current 103 rejection of claim 9.

### ***Information Disclosure Statement***

14. The information disclosure statement filed 01/22/2016 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because ITEM 21 is missing an English translation. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the

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time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

### ***Claim Objections***

15. **Claim 21** is objected to because of the following informalities: Claim 21 is noncompliant with regard to 37 CFR 1.121(c), which requires that amended claims be marked up and reflect a status of “Currently Amended”. Although claim 21 does contain some markings, claim 21 also contains text that was not present in the previous submission. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of “currently amended,” and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. *The text of any added subject matter must be shown by underlining the added text.* In order to expedite prosecution, Examiner will review the claim; however, Applicant is respectfully reminded to check all future amendments for compliance with 37 CFR 1.121. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

16. The following is a quotation of 35 U.S.C. 112(b):  
(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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17. **Claims 6 and 7 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

18. **Claim 6** recites the limitation "**the position**" in the second and third line. There is insufficient antecedent basis for this limitation in the claim.

19. **Claim 7** recites the limitation "**the position**" in the third line. There is insufficient antecedent basis for this limitation in the claim.

*In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.*

### **Claim Rejections - 35 USC § 103**

20. The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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21. **Claims 5, 6, 9-11, 13-15, 21, 30, 31, 33-37, and 40-42 are rejected under pre-AIA 35 U.S.C. 103(a)** as being unpatentable over Cannistraro et al. (US 2012/0310649 A1; hereafter “Cannistraro”) in view of Agrawal (US 2007/0124298 A1; hereafter “Agrawal”).

Regarding **Claim 5**, Cannistraro discloses **a computer-implemented method for navigating an item of audio content, the computer-implemented method comprising: as implemented by one or more computing devices configured with specific computer-executable instructions, obtaining synchronization information regarding the item of audio content and an item of textual content that is a companion to the item of audio content,** (Cannistraro [0023] [0076]: mapping is automatically created where the mapping maps locations within an audio version of a work (e.g., an audio book) with corresponding locations in a textual version of the work (e.g., an e-book)) **wherein the synchronization information associates a content element, within the item of textual content, with a first position, in the item of audio content, that corresponds to the content element;** (Cannistraro [0023]: mapping associates locations (within the audio version) of the identified words with locations in the textual version of the work where the identified words are found; [0033] [0036]: associating a content element; [0078] [0079] [0137]: a mapping is inspected to determine a first media location that corresponds to the specified location)

Cannistraro does disclose receiving input to navigate to a specified portion of the audio content [0106]. However, Cannistraro may not explicitly teach every aspect of

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receiving a command to navigate to a desired position in the item of audio content, wherein the desired position is specified with reference to the content element within the item of textual content; determining, from at least the synchronization information, that the desired position in the item of audio content, specified with reference to the content element within the item of textual content, is the first position in the item of audio content; and providing, to a computing device configured to present the item of audio content, an indication that the desired position is the first position.

Agrawal discloses **receiving a command to navigate to a desired position in the item of audio content, wherein the desired position is specified with reference to the content element within the item of textual content;** (Agrawal Abstract; [0006] [0045]: receive a search query of a rich media file, audio content; [0049] [0051]: a user requests a search for occurrences of the word "jedi" within the movies database using a web-based search engine; the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms) **determining, from at least the synchronization information, that the desired position in the item of audio content, specified with reference to the content element within the item of textual content, is the first position in the item of audio content;** (Agrawal [0019]: each term may be associated with one or more time values specifying a chronological location in the rich media file for the term; a search query is related to the term and a chronological representation of the search result is displayed in response to relating the term to the search query; [0020]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence

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of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker that it would represent the first position in the rich media file (audio content); [0043]: an index with a list of terms occurring within a file for aiding search queries; [0046]: matching search query to related specific term occurrences in the media file; [0054]: if a term found in a search query only appears once, a narrow blue indicator may be used to reflect the occurrence of the term found in the search query) **and providing, to a computing device configured to present the item of audio content, an indication that the desired position is the first position.** (Agrawal [0020] [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker it would represent the first position in the rich media file (audio content); [0054]: [0054]: if a term found in a search query only appears once, a narrow blue indicator may be used to reflect the occurrence of the term found in the search query)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide navigating rich media content as taught by Agrawal for the benefit of the synchronized audio content and textual content system of Cannistraro because in doing so would utilizes correlated, synchronized textual content to enhance the accuracy of audio content search results. In addition, both references (Cannistraro and Agrawal) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on

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electronic devices. This close relation between both of the references highly suggests an expectation of success.

Regarding **Claim 6**, Cannistraro and Agrawal discloses **further comprising causing the computing device to present the item of audio content from the position in the item of audio content that corresponds to the content element.**

(Cannistraro [0138]: use the audio location indicated in the mapping record to identify where, in the audio data, to begin processing the audio data in order to generate audio; Agrawal [0023] [0047]: launch a rich media file at the indicated point along the chronological representation)

Regarding **Claim 9**, Cannistraro and Agrawal discloses **wherein the content element within the item of textual content comprises a syntax structure of the item of textual content.** (Cannistraro [0037]: describing syntax structure of textual content; [0039]: speech-to-text analyzer; Agrawal [0032] [0043]: syntax; [0050]: speech-to-text engine)

Regarding **Claim 10**, Cannistraro and Agrawal discloses **wherein the syntax structure of the item of textual content comprises at least one of a word within the item of textual content, a phrase within the item of textual content, a sentence within the item of textual content, and a paragraph within the item of textual content.** (Cannistraro [0030] [0031] [0033]: chapter; paragraph, line, sentence; [0053]:

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words; phrases; [0060]-[0066]; Agrawal [0032]: sentence, paragraph, segment; [0050]: speech-to-text engine)

Regarding **Claim 11**, Cannistraro in view of Agrawal discloses **wherein the syntax structure of the item of textual content is associated with a character of the item of audio content.** (Cannistraro [0030]; Agrawal [0043] [0051]: the rich media file is analyzed to identify terms in order to relate search queries to the terms; the term “jedi”...NOTE: Jedi are characters from Star Wars)

Regarding **Claim 13**, Cannistraro in view of Agrawal discloses **wherein the content element comprises at least one of a character, an event, a setting, and a mood.** (Cannistraro [0030]; Agrawal [0021]: news event; [0043] [0051]: the rich media file is analyzed to identify terms in order to relate search queries to the terms; the term “jedi”...NOTE: Jedi are characters from Star Wars)

Regarding **Claim 14**, Cannistraro system **for navigating content, the system comprising: an electronic data store configured to store:** (Cannistraro [0088] [0092] [0093]: storage)  
**an item of dynamic content;** (Cannistraro [0084] [0088]: store digital media items) **and synchronization information** (Cannistraro [0092] [0093]: store mappings) **regarding the item of dynamic content and an item of textual content that is a companion to the item of dynamic content,** (Cannistraro [0023] [0076]: mapping is automatically

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created where the mapping maps locations within an audio version of a work (e.g., an audio book) with corresponding locations in a textual version of the work (e.g., an e-book); [0028]: a mapping comprises a set of mapping records, where each mapping record associates an audio location with a text location) **wherein the synchronization information associates a content element, within the item of textual content, with a first position, in the item of dynamic content, that corresponds to the content element**; (Cannistraro [0023]: mapping associates locations (within the audio version) of the identified words with locations in the textual version of the work where the identified words are found; [0033] [0036]: associating a content element; [0078] [0079] [0137]: a mapping is inspected to determine a first media location that corresponds to the specified location) **and**  
**a computing device in communication with the electronic data store**, (Cannistraro [0083]-[0088] [0091]: computing devices communicate with storage)

Cannistraro does disclose receiving input to navigate to a specified portion of the audio content [0106]. However, Cannistraro may not explicitly teach every aspect of the computing device being configured to: receive a command to navigate to a desired position in the item of dynamic content, wherein the desired position is specified with reference to the content element within the item of textual content; determine, from at least the synchronization information, that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content; receive input indicating a

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selection of the first position in the item of dynamic content; and cause output of the item of dynamic content to begin from the first position in the item of dynamic content.

Agrawal discloses **the computing device being configured to: receive a command to navigate to a desired position in the item of dynamic content, wherein the desired position is specified with reference to the content element within the item of textual content;** (Agrawal Abstract; [0006] [0045]: receive a search query of a rich media file, audio content; [0049] [0051]: a user requests a search for occurrences of the word "jedi" within the movies database using a web-based search engine; the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms)

**determine, from at least the synchronization information, that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content;** (Agrawal [0019]: each term may be associated with one or more time values specifying a chronological location in the rich media file for the term; a search query is related to the term and a chronological representation of the search result is displayed in response to relating the term to the search query; [0020]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker that it would represent the first position in the rich media file (audio content); [0043]: an index with a list of terms occurring within a file for aiding search queries; [0046]: matching search query to

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related specific term occurrences in the media file; [0054]: if a term found in a search query only appears once, a narrow blue indicator may be used to reflect the occurrence of the term found in the search query)

**receive input indicating a selection of the first position in the item of dynamic**

**content;** (Agrawal [0019] [0032] [0048]: user selection of one of the indicated occurrence of a search result in the media item; a user enabled to interact with results)

**and**

**cause output of the item of dynamic content to begin from the first position in the**

**item of dynamic content.** (Agrawal [0019] [0023] [0032]: launch a rich media

application that renders a relevant portion of a rich media file (e.g., a portion at the indicated point along the chronological representation))

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide navigating rich media content as taught by Agrawal for the benefit of the synchronized audio content and textual content system of Cannistraro because in doing so would utilize correlated, synchronized textual content to enhance the accuracy of audio content search results. In addition, both references (Cannistraro and Agrawal) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

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Regarding **Claim 15**, Cannistraro in view of Agrawal discloses **wherein the first position in the item of dynamic content is near a representation of the content element within the dynamic content.** (Cannistraro [00125]: current playback position may match or nearly match the audio location identified in the mapping record; Agrawal [0023] [0047]: launch a rich media file at the indicated point along the chronological representation)

Regarding **Claim 21**, Cannistraro in view of Agrawal discloses **wherein the computing device is configured to determine that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content at least partly by determining that the first position occurs in the item of dynamic content before any additional positions within the item of dynamic content that are also associated with the content element.** (Agrawal [0020] [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file; [0022]: the leftmost point of the timeline is chronologically more proximate to the beginning of the rich media file ...NOTE: It would be apparent if there is multiple occurrence markers, the first occurrence marker would be positioned before the other occurrence markers in the rich media file)

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Regarding **Claim 30**, Cannistraro discloses **a system comprising: one or more computing devices configured with specific computer-executable instructions that, when executed, cause the one or more computing devices to at least:**

(Cannistraro [0083]: one or more computing devices)

**obtaining synchronization information regarding an item of dynamic content and an item of textual content that is a companion to the item of dynamic content,**

(Cannistraro [0023] [0076]: mapping is automatically created where the mapping maps locations within an audio version of a work (e.g., an audio book) with corresponding locations in a textual version of the work (e.g., an e-book)) **wherein the**

**synchronization information associates a content element, within the item of textual content, with a first position, in the item of dynamic content, that**

**corresponds to the content element;** (Cannistraro [0023] [0028]: mapping associates locations (within the audio version) of the identified words with locations in the textual version of the work where the identified words are found; [0033] [0036]: associating a content element; [0078] [0079] [0137]: a mapping is inspected to determine a first media location that corresponds to the specified location)

Cannistraro does disclose receiving input to navigate to a specified portion of the audio content [0106]. However, Cannistraro may not explicitly teach every aspect of receive a command to navigate to a desired position within the item of dynamic content, wherein the desired position is specified with reference to the content element within the item of textual content; determine, from at least the synchronization information, that the desired position in the item of dynamic content specified with reference to the content

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element within the item of textual content, is the first position in the item of dynamic content; and transmit the first position to a playback device configured to present the item of dynamic content.

Agrawal discloses **receive a command to navigate to a desired position within the item of dynamic content, wherein the desired position is specified with reference to the content element within the item of textual content;** (Agrawal Abstract; [0006] [0045]: receive a search query of a rich media file, audio content; [0049] [0051]: a user requests a search for occurrences of the word "jedi" within the movies database using a web-based search engine; the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms) **determine, from at least the synchronization information, that the desired position in the item of dynamic content specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content;** (Agrawal [0019]: each term may be associated with one or more time values specifying a chronological location in the rich media file for the term; a search query is related to the term and a chronological representation of the search result is displayed in response to relating the term to the search query; [0020]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker that it would represent the first position in the rich media file (audio content); [0043]: an index with a list of terms occurring within a file for aiding search queries; [0046]: matching search query to

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related specific term occurrences in the media file; [0054]: if a term found in a search query only appears once, a narrow blue indicator may be used to reflect the occurrence of the term found in the search query) **and**

**transmit the first position to a playback device configured to present the item of dynamic content.** (Agrawal [0015] [0033] [0041]: transmission to client device; [0020]: [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file ...NOTE: It would be apparent if there is one occurrence marker it would represent the first position in the rich media file)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide navigating rich media content as taught by Agrawal for the benefit of the synchronized audio content and textual content system of Cannistraro because in doing so would utilizes correlated, synchronized textual content to enhance the accuracy of audio content search results. In addition, both references (Cannistraro and Agrawal) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

Regarding **Claim 31**, Cannistraro in view of Agrawal discloses **wherein the specific computer-executable instructions cause the one or more computing devices to determine that the desired position in the item of dynamic content,**

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**specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content by at least: presenting a user interface identifying the first position;** (Agrawal [0020] [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker it would represent the first position in the rich media file) **and receiving input to the user interface indicating a selection of the first position.** (Agrawal [0019] [0032] [0048]: user selection of one of the indicated occurrence of a search result in the media item; a user enabled to interact with results)

Regarding **Claim 33**, Cannistraro in view of Agrawal discloses **wherein the synchronization information associates the content item with a second position, in the item of dynamic content, that corresponds to the content element.** (Agrawal [0020] [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file)

Regarding **Claim 34**, Cannistraro in view of Agrawal discloses **wherein the computer-executable instructions further cause the one or more computing devices to at least cause the playback device to present the item of dynamic**

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**content from the first position.** (Agrawal [0023] [0033] [0047]: launch a rich media file at the indicated point along the chronological representation)

Regarding **Claim 35**, Cannistraro discloses **non-transitory computer-readable media including computer-executable instructions that, when executed by one or more computing devices, cause the one or more computing devices to at least: obtain synchronization information regarding an item of dynamic content and an item of textual content that is a companion to the item of dynamic content,** (Cannistraro [0023] [0076]: mapping is automatically created where the mapping maps locations within an audio version of a work (e.g., an audio book) with corresponding locations in a textual version of the work (e.g., an e-book)) **wherein the synchronization information associates a content element, within the item of textual content, with a first position, in the item of dynamic content, that corresponds to the content element;** (Cannistraro [0023] [0028]: mapping associates locations (within the audio version) of the identified words with locations in the textual version of the work where the identified words are found; [0033] [0036]: associating a content element; [0078] [0079] [0137]: a mapping is inspected to determine a first media location that corresponds to the specified location)

Cannistraro does disclose receiving input to navigate to a specified portion of the audio content [0106]. However, Cannistraro may not explicitly teach every aspect of receive a command to navigate to a desired position within the item of dynamic content, wherein the desired position is specified with reference to the content element within the

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item of textual content; determine, from at least the synchronization information, that the desired position in the item of dynamic content specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content; and transmit the first position to a playback device configured to present the item of dynamic content.

Agrawal discloses **receive a command to navigate to a desired position within the item of dynamic content, wherein the desired position is specified with reference to the content element within the item of textual content;** (Agrawal Abstract; [0006] [0045]: receive a search query of a rich media file, audio content; [0049] [0051]: a user requests a search for occurrences of the word "jedi" within the movies database using a web-based search engine; the system searches for occurrences of the term that are similar to the word "jedi" within the index of terms) **determine, from at least the synchronization information, that the desired position in the item of dynamic content specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content;** (Agrawal [0019]: each term may be associated with one or more time values specifying a chronological location in the rich media file for the term; a search query is related to the term and a chronological representation of the search result is displayed in response to relating the term to the search query; [0020]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker that it would represent the first

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position in the rich media file (audio content); [0043]: an index with a list of terms occurring within a file for aiding search queries; [0046]: matching search query to related specific term occurrences in the media file; [0054]: if a term found in a search query only appears once, a narrow blue indicator may be used to reflect the occurrence of the term found in the search query) **and**

**transmit the first position to a playback device configured to present the item of dynamic content.** (Agrawal [0015] [0033] [0041]: transmission to client device; [0020]: [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file ...NOTE: It would be apparent if there is one occurrence marker it would represent the first position in the rich media file)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide navigating rich media content as taught by Agrawal for the benefit of the synchronized audio content and textual content system of Cannistraro because in doing so would utilizes correlated, synchronized textual content to enhance the accuracy of audio content search results. In addition, both references (Cannistraro and Agrawal) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

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Regarding **Claim 36**, Cannistraro in view of Agrawal discloses **wherein the computer-executable instructions cause the one or more computing devices to determine that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content by at least: presenting a user interface identifying the first position;** (Agrawal [0020] [0047]: one or more occurrence markers along the chronological representation corresponding to an actual occurrence of a desired term at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker it would represent the first position in the rich media file) **and receiving input to the user interface indicating a selection of the first position.** (Agrawal [0019] [0032] [0048]: user selection of one of the indicated occurrence of a search result in the media item; a user enabled to interact with results)

Regarding **Claim 37**, Cannistraro in view of Agrawal discloses **wherein the computer-executable instructions further cause the one or more computing devices to at least cause the playback device to present the item of dynamic content from the first position.** (Agrawal [0023] [0033] [0047]: launch a rich media file at the indicated point along the chronological representation)

Regarding **Claim 40**, Cannistraro in view of Agrawal discloses **further comprising generating the synchronization information.** (Cannistraro [0028]: a

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mapping comprises a set of mapping records, where each mapping record associates an audio location with a text location; [0069]-[0075]: on-the-fly mapping; Agrawal [0019] [0025]: each term may be associated with one or more time values specifying a chronological location in the rich media file for the term; [0043]: an index with a list of terms occurring within a file for aiding search queries)

Regarding **Claim 41**, Cannistraro in view of Agrawal discloses **wherein the specific computer- executable instructions further cause the one or more computing devices to generate the synchronization information based at least in part on identifying the content element within the item of textual content and analyzing the item of dynamic content to locate the first position.** (Cannistraro [0028]: a mapping comprises a set of mapping records, where each mapping record associates an audio location with a text location; [0034]: automatically-generated text-to-audio mapping includes multiple mapping records, each of which associates a text location in the textual version with an audio location in the audio version; [0050] [0051]: text-to-speech generator; textual version of a work is input to text-to-speech generator; text-to-speech generator generates audio data based on document; audio-to-document mapping maps, multiple text locations within document to corresponding audio locations within generated audio data; [0071])

Regarding **Claim 42**, Cannistraro in view of Agrawal discloses wherein the computer-executable instructions further cause the one or more computing devices to at

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least generate the synchronization information based at least in part on identifying the content element within the item of textual content and analyzing the item of dynamic content to locate the first position. (Cannistraro [0028]: a mapping comprises a set of mapping records, where each mapping record associates an audio location with a text location; [0034]: automatically-generated text-to-audio mapping includes multiple mapping records, each of which associates a text location in the textual version with an audio location in the audio version; [0050] [0051]: text-to-speech generator; textual version of a work is input to text-to-speech generator; text-to-speech generator generates audio data based on document; audio-to-document mapping maps, multiple text locations within document to corresponding audio locations within generated audio data; [0071])

22. **Claim 7** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Cannistraro in view of Agrawal in further view of Kandekar et al. (US 2012/0210203 A1; hereafter "Kandekar").

Regarding **Claim 7**, Cannistraro in view of Agrawal does teach displaying a summary of the media file (Agrawal [0024]) and identifying meaningful contextual information for occurrences of term (Agrawal [0032]), however, Cannistraro in view of Agrawal may not explicitly teach every aspect of further comprising causing the computing device to present a summary of a portion of the item of audio content,

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wherein the portion occurs before the position in the item of audio content that corresponds to the content element.

Kandekar discloses **further comprising causing the computing device to present a summary of a portion of the item of audio content, wherein the portion occurs before the position in the item of audio content that corresponds to the content element.** (Kandekar [0020]: generate a content summary for a portion of the media item that precedes the identified position, and to present the content summary to a user of the electronic device)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide a content summary of a media item based on position within the media item as disclosed by Kandekar for the benefit of navigating audio content utilizing synchronization information of Cannistraro in view of Agrawal because in doing so would provide summarizations of content based on an indicated position in the media file which would inform and remind a user of content before indicated position in the media file which would improve content navigation and decrease the cognitive burden of the user. In addition, references (Cannistraro in view of Agrawal and Kandekar) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

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23. **Claim 16 is rejected under pre-AIA 35 U.S.C. 103(a)** as being unpatentable over Cannistraro in view of Agrawal in further view of Berkowitz et al. (US 7,870,272 B2; hereafter "Berkowitz").

Regarding **Claim 16**, Cannistraro in view of Agrawal discloses **wherein the computing device is configured to cause output of the item of dynamic content to begin from the first position...**(Agrawal [0019] [0023] [0032]: launch a rich media application that renders a relevant portion of a rich media file (e.g., a portion at the indicated point along the chronological representation)). However, Cannistraro in view of Agrawal may not explicitly teach every aspect of by at least: providing, to a recipient computing device, an indication that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content; and causing the recipient computing device to begin output of the item of dynamic content from the first position in the item of dynamic content element.

Berkowitz **discloses by at least: providing, to a recipient computing device, an indication that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content;** (Berkowitz column 3 lines 22-23: send content location information to second device) **and causing the recipient computing device to begin output of the item of dynamic content from the first position in**

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**the item of dynamic content element.** (Berkowitz column 4 line 39-54: play content at corresponding location on second device)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide to a recipient computing device, an indication that the desired position in the item of dynamic content, specified with reference to the content element within the item of textual content, is the first position in the item of dynamic content as disclosed by Berkowitz for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so the user does not have to spend time manually searching for the locations where the user discontinued the content item in a previous device/session which would save the user time and increase user convenience. In addition, both references (Cannistraro in view of Agrawal and Berkowitz) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success

24. **Claims 17 and 18 rejected under pre-AIA 35 U.S.C. 103(a)** as being unpatentable over Cannistraro in view of Agrawal in further view of Byers et al. (US 2006/0122984 A1; hereafter "Byers").

Regarding **Claim 17**, Cannistraro in view of Agrawal may not explicitly teach every aspect of wherein the computing device is further configured to cause

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presentation of a user interface comprising a search field, and wherein the command is received via the search field.

However, Byers discloses **wherein the computing device is further configured to cause presentation of a user interface comprising a search field,** (Byers FIG. 4A showing a search field) **and wherein the command is received via the search field.** (Byers [0038] [0039]: the user may type or input a piece of text for which to search in the query input field)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide a search field as disclosed by Byers for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would provide a graphical control element dedicated to accepting user input to navigate and search the displayed content which would decrease user burden of performing multiple steps in order to perform a search and improve and enhance user experience. In addition, references (Cannistraro in view of Agrawal and Byers) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, managing media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

Regarding **Claim 18**, Cannistraro in view of Agrawal in further view of Byers discloses **wherein: the user interface further comprises a user interface element identifying the first position;** (Agrawal [0020]: one or more occurrence markers along the chronological representation corresponding to actual occurrences of a desired term

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at an indicated chronological location in the rich media file...NOTE: It would be apparent if there is one occurrence marker that it would represent the first position in the rich media file; [0047]: markers at chronological locations associated with the search results)

**and**

**the input is received in response to a user's interaction with the user interface element.** (Agrawal [0048]: user interaction with the displayed search results/occurrence markers)

25. **Claims 19 and 20 are rejected under pre-AIA 35 U.S.C. 103(a)** as being unpatentable over Cannistraro in view of Agrawal in further view of Istvan et al. (US 2010/0318357 A1; hereafter "Istvan").

Regarding **Claim 19**, Cannistraro in view of Agrawal may not explicitly teach every aspect of wherein the command comprises a structured command.

However, Istvan discloses **wherein the command comprises a structured command.** (Istvan [0115]-[0118] [0137]: structured commands)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide structured commands as disclosed by Istvan for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would provide a streamline way of navigating media content which would decrease burden of a user by providing simple commands and improve and enhance user experience. In addition, references (Cannistraro in view of Agrawal and Istvan)

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teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, interaction with media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

Regarding **Claim 20**, Cannistraro in view of Agrawal may not explicitly teach every aspect of wherein the command comprises a natural language command.

However, Istvan discloses **wherein the command comprises a natural language command**. (Istvan [0019] [0039] [0121]-[0125]: natural language commands)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide natural language commands as disclosed by Istvan for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would provide an expected and anticipated way of navigating media content which would allow freedom of user expression to navigate content which would improve and enhance user experience. In addition, references (Cannistraro in view of Agrawal and Istvan) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, interaction with media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

26. **Claims 22 and 23 are rejected under pre-AIA 35 U.S.C. 103(a)** as being unpatentable over Cannistraro in view of Agrawal in further view of Bullock (US 2011/0261030 A1; hereafter "Bullock").

Regarding **Claim 22**, Cannistraro in view of Agrawal may not explicitly teach every aspect of wherein the computing device is further configured to: determine a current presentation position of the item of dynamic content; and determine that the first position occurs after the current presentation position.

However, Bullock discloses **wherein the computing device is further configured to: determine a current presentation position of the item of dynamic content;** (Bullock [0103]: determine a current position) **and determine that the first position occurs after the current presentation position.** (Bullock [0104]: searching for subsequent occurrences of terms can be achieved)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide the determination of presentation positions as disclosed by Bullock for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would provide various navigation techniques in order for a user to manipulate content which would improve and enhance user experience. In addition, references (Cannistraro in view of Agrawal and Bullock) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, searching functionality and interaction with media content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

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Regarding **Claim 23**, Cannistraro in view of Agrawal discloses **wherein the computing device is further configured to: ...request a new command to navigate to a content element in the item of dynamic content.** (Agrawal [0006] [0045]: receive a search query)

However, Cannistraro in view of Agrawal may not explicitly teach every aspect of [wherein the computing device is further configured to:] determine a current presentation position of the item of dynamic content; determine that the first position occurs before the current presentation position.

Bullock discloses [wherein the computing device is further configured to:] **determine a current presentation position of the item of dynamic content;** (Bullock [0103]: determine a current position)

**determine that the first position occurs before the current presentation position;** (Bullock [0104]: searching for previous occurrences of terms can be achieved)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide the determination of presentation positions as disclosed by Bullock for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would provide various navigation techniques in order for a user to manipulate content which would improve and enhance user experience. In addition, both references (Cannistraro in view of Agrawal and Bullock) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, searching functionality and interaction with media content on electronic

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devices. This close relation between both of the references highly suggests an expectation of success.

27. **Claim 39** is rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Cannistraro in view of Agrawal in further view of Deng (US 2010/0049349 A1; hereafter "Deng").

Regarding **Claim 39**, Cannistraro in view of Agrawal may not explicitly teach every aspect of wherein the computer-executable instructions further cause the one or more computing devices to at least determine that the desired position is valid based at least in part on determining that the first position occurs later in the item of dynamic content than a current output position of the item of dynamic content.

However, Deng discloses **wherein the computer-executable instructions further cause the one or more computing devices to at least determine that the desired position is valid based at least in part on determining that the first position occurs later in the item of dynamic content than a current output position of the item of dynamic content.** (Deng [0068]-[0070]: determine validity of playing position)

It would have been obvious to one of ordinary skill in the art at the time of Applicant's subject matter to provide the validation techniques as disclosed by Deng for the benefit of navigating dynamic content of Cannistraro in view of Agrawal because in doing so would decrease errors in content navigation which would assist user in content

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navigation which would decrease cognitive burden of user and improve and enhance user experience. In addition, both references (Cannistraro in view of Agrawal and Deng) teach features that are directed to analogous art and they are directed to the same field of endeavor, such as, searching functionality and interaction with content on electronic devices. This close relation between both of the references highly suggests an expectation of success.

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***Conclusion***

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**US Patents**

Ohme	US 8,861,925 B1
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**US Patent Application Publications**

Kahn et al.	US 2005/0131559 A1
Knight et al.	US 2008/0270138 A1
Larsen et al.	US 2012/0236201 A1
McCue et al.	US 2012/0084455 A1
Yasdani et al.	US 2011/0153330 A1
Yu et al.	US 2007/0255565 A1
Yuen	US 2002/0054073 A1

29. Examiner has cited particular columns and line and/or paragraph numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

30. The examiner requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

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31. When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

***Point of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER NICHOLS whose telephone number is (571)270-3483. The examiner can normally be reached on Monday-Friday, 9:00am - 5:30pm, Alt. Friday, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ajay Bhatia can be reached on 571-272-3906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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