

# Exhibit 8



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/010,964	04/28/2010	5634074	2607.270REX0/RGS/RDC	8064

26111 7590 01/05/2011

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/05/2011

Please find below and/or attached an Office communication concerning this application or proceeding.



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

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**MAILED**

**JAN 07 2011**

**CENTRAL REEXAMINATION UNIT**

**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/010,964.

PATENT NO. 5634074.

ART UNIT 3992.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

<b>Ex Parte Reexamination Interview Summary</b>	<b>Control No.</b>	<b>Patent Under Reexamination</b>	
	90/010,964	5634074	
	<b>Examiner</b>	<b>Art Unit</b>	
	Christina Y. Leung	3992	

All participants (USPTO personnel, patent owner, patent owner's representative):

- (1) Christina Y. Leung (3) Ronald Williams; James Nichols  
(2) Eric Keasel; Deandra Hughes (4) Robert Sterne; G.J. Perry; R.D. Collier; W.P. Ladd

Date of Interview: 05 January 2011

Type: a)  Telephonic b)  Video Conference  
c)  Personal (copy given to: 1)  patent owner 2)  patent owner's representative)

Exhibit shown or demonstration conducted: d)  Yes e)  No.

If Yes, brief description: Slide presentation including all of PO's arguments; see attachment.

Agreement with respect to the claims f)  was reached. g)  was not reached. h)  N/A.

Any other agreement(s) are set forth below under "Description of the general nature of what was agreed to..."

Claim(s) discussed: 1.

Identification of prior art discussed: Riikonen (US 4,025,906 A).

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:  
See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims patentable, if available, must be attached. Also, where no copy of the amendments that would render the claims patentable is available, a summary thereof must be attached.)

**A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION MUST INCLUDE PATENT OWNER'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. (See MPEP § 2281). IF A RESPONSE TO THE LAST OFFICE ACTION HAS ALREADY BEEN FILED, THEN PATENT OWNER IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO PROVIDE THE MANDATORY STATEMENT OF THE SUBSTANCE OF THE INTERVIEW (37 CFR 1.560(b)). THE REQUIREMENT FOR PATENT OWNER'S STATEMENT CAN NOT BE WAIVED. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

/Christina Y. Leung/ Primary Examiner, Art Unit 3992		
cc: Requester (if third party requester)		

Continuation of Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Patent owner (represented by attorneys Sterne, Perry, Coller, and Ladd; technical expert Williams; and inventor Nichols) presented several arguments against the rejection of claim 1 under 35 U.S.C. 102 as being anticipated by Riikonen.

1) PO argued that Riikonen does not specifically disclose determining within the computer a manner of interaction of the computer with the I/O device (emphasis on "within the computer") because the basic device controller, not CPU 14, determines the manner of interaction.

2) PO argued that Riikonen does not specifically disclose sending from the I/O device to the computer a beacon signal because a device ID is fetched from the adapter and the ID does not come from the I/O device itself.

3) PO argued that Riikonen does not teach a serial cable. PO further argued that the broadest reasonable interpretation of claim 1 in light of the specification requires that the beacon signal is sent over the serial cable connecting the I/O device to the computer.

4) PO argued that other interpretations of Riikonen, wherein the basic device controller and/or adapters are considered part of the computer or part of the I/O device also do not anticipate the claims because either beacon signal is still not sent from the I/O device, or the I/O device would not be connected to the computer by a serial cable.

Examiner noted that the arguments with respect to Riikonen disclosing a device controller between the I/O device and CPU 14 instead of direct interaction ("determining" and "sending") between the I/O device and CPU 14 may be persuasive but would have to review Riikonen thoroughly to confirm PO's assertions. Examiner noted that PO's arguments about the serial cable would require additional review of the Devon patent to determine what embodiments are contemplated by the specification, since "serial cable" is not explicitly recited after the preamble of claim 1. Examiner noted that PO's additional discussion of other interpretations of Riikonen are less important than the other arguments because these interpretations are not the ones presented by the Examiner in the Office action. However, the additional arguments would be accepted, particularly to provide a complete discussion of Riikonen on the record by PO.