

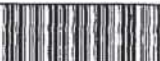
## Exhibit 8

to Motorola's Opening Claim Construction Brief

July 28, 2011

**Office Action Summary**

Application No. <b>09/074,300</b>	Applicant(s) <b>Ian Hendry</b>
Examiner <b>Ronald D. Hartman Jr.</b>	Group Art Unit <b>2787</b>



- Responsive to communication(s) filed on May 8, 1998
- This action is **FINAL**.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.
- A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

- Claim(s) 1-21 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1-21 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.

**Application Papers**

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been
- received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_
- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). 5,6
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 09074300

Page 2

Art Unit: 2787

### DETAILED ACTION

#### *Drawings*

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 1 is rejected under 35 U.S.C 102(2) as being unpatentable over Hendry et al, U.S. Patent No. 5,682,529.

As per claim 1, Henry teaches a display management architecture that detects changes in a display environment and notifies software programs as well as application programs of the changes in order to adjust them accordingly (Abstract). The display management architecture includes a display manager (Cover element 22) that comprises one part of the computers operating system (Cover element 18)(C2 L 45-50). This display manager continuously receives information from the drivers regarding the display capabilities, and provides reconfiguration

*h27/98*

Application/Control Number: 09074300

Page 3

Art Unit: 2787

services to other software within the computer (C2 L61-67 and C4 L36-40). Whenever a change in change in configuration is detected, a notification is sent to the display manager (C6 L4-6). A change may occur from connecting or disconnecting a device, such as a video device in the form of a video card (Cover element 14) from the computer (C6 L9-12), or from insertion or removal from a docking station or from the pivoting of a video device such as a monitor from a portrait position to a landscape position (C6 L12-14). In response to the notification, the display manager rearranges the display space based on new configuration information. Once the new configuration has been established, the display manager determines which objects in the display space needs to be repositioned on the display device or screen (C6 L39-46). Information is provided to the operating system and other software programs by the display manager, in response to any changes in configurations (C5 L55-60).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 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.

5. Claims 2- 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry et al, U.S. Patent No. 5,682,529, in view of Kimura, U.S. Patent No. 5,469,223.

Application/Control Number: 09074300

Page 4

Art Unit: 2787

As per claims 6,7,10-11,13,16, and 19, Henry teaches a display management architecture that detects changes in a display environment and notifies software programs as well as application programs of the changes in order to adjust them accordingly (Abstract). The display management architecture includes a display manager (Cover element 22) that comprises one part of the computers operating system (Cover element 18)(C2 L 45-50). This display manager continuously receives information from the drivers regarding the display capabilities, and provides reconfiguration services to other software within the computer (C2 L61-67 and C4 L36-40). Whenever a change in change in configuration is detected, a notification is sent to the display manager (C6 L4-6). A change may occur from connecting or disconnecting a device, such as a video device in the form of a video card (Cover element 14) from the computer (C6 L9-12), or from insertion or removal from a docking station or from the pivoting of a video device such as a monitor from a portrait position to a landscape position (C6 L12-14). In response to the notification, the display manager rearranges the display space based on new configuration information. Once the new configuration has been established, the display manager determines which objects in the display space needs to be repositioned on the display device or screen (C6 L39-46). Information is provided to the operating system and other software programs by the display manager, in response to any changes in configurations (C5 L55-60).

As per claims 10 and 13, although Hendry does not specifically state the immediate use of "hot-plugging" it is suggested in the design and implementation. Hot-Plugging is merely a feature that allows equipment to be connected to an active device, such as a computer, while the device is

Art Unit: 2787

powered on, and since Hendry clearly intends for the process of reconfiguration to occur in real time (while computer is running), hot-plugging is an obvious implementation of Hendry's combined system.

As per claims 13 and 20, although Henry does not specifically state the need for at least one display for displaying images, it is obvious that in order to display images, a medium must be present to present those images properly. This medium would appropriately be a display or monitor.

As per claims 2, 10, 14, and 17-18, Hendry does not specifically teach the use of a frame buffer within the video device or video card.

Kimura teaches the use of a VGA frame buffer (Figure 1 element 14) that is generally bit-mapped to a display device, which could be a monitor (Figure 1 element 13) so that the storage locations in the frame buffer have a one-to-one correspondence with the pixels in the display device (video device or monitor) (C1 L 32-27).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to allow Henry's system to use a frame buffer, as suggested by Kimura, because the frame buffer merely acts as a storage means to hold the contents of a screen image and this information is already processed, according to Henry. This would have been obvious because Henry teaches an invention similar to Kimura in that they both are directed towards the use of a video device (video card) and the means of displaying information of a display device and one of ordinary skill in the art would have recognized these similarities and concluded that they are from

Art Unit: 2787

the same field of endeavor. Accordingly, it would have been obvious to one of ordinary skill in the art to allow Henry's invention to use a frame buffer from within the video card, as suggested by Gray.

As per claims 3, 12, 15, and 17, although Henry's combined system does not specifically state the storing of a preferences file that identifies the status of displayed objects prior to change, it is suggested in the design. Since the frame buffer, as discussed above, serves as a means of preserving a "screen shot" or the contents of a screen image, it could be interpreted that this information would comprise the "preferences file". That is, a device such as the display manager or the video card could contain a frame buffer, which could capture or store the contents of a screen image, this information (the contents) would represent the same information that has been identified as a "preferences file".

As per claim 4, although Henry's combined system does not specifically teach the repositioning of objects in accordance with a status stored in a preferences file, it would have been an obvious implementation of its design. Since the frame buffer, as discussed above, could store information (preferences file) which is indicative of the contents of a screen image or "screen shot", as discussed above, this information could be used by the display manager to reposition object in the display space due to the addition of a video device or extra video card. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to allow Henry's combined system the ability of repositioning objects (after detection of added video device) in the display space in reference to information store in a preferences file.

Art Unit: 2787

As per claims 5, 14 and 18, it is obvious that the frame buffer corresponds to an allocated portion of the display space, as previously discussed above, therefore, it is obvious that the display manager could store the information in a frame buffer exclusively for a certain corresponding display device, or possibly many corresponding devices, depending on the need and the configuration desired.

As per claims 8 and 21, although Henry's combined system does not specifically state the use of a color look up table it would be an obvious implementation of Henry's combined system. Henry teaches the use of a look up table for possible communication problems involving the display manager and possible display devices (C4 L10-14). Since it is generally accepted that a display device may pertain to a color monitor, the look up table, which could be represented on the display device, would certainly be able to be in color as well.

As per claim 9, although Henry's combined system does not specifically state the recognition of an error condition it is suggested in the design and implementation. According to Henry, when a display device has been removed, a switch could provide a signal to the display device (C7 L60-65). This signal would therefore act as the "error condition" which would let the display manager know that a device has either been disconnected or has stopped functioning correctly. In response to the signal, the display manager deactivates the display by removing it from the active device list, and then dynamically reconfigure the environment accordingly (C7 L60-66). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to allow Henry's combined system the ability to recognize an "error



Application/Control Number: 09074300

Page 8

Art Unit: 2787

condition" through the direct use of a signal, generated from the disconnecting of a certain display device.

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

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Hartman Jr. whose telephone number is (703) 308-7001. The examiner can normally be reached Monday-Thursday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Fridays.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Palys, can be reached at (703)305-9685. The fax number for this Group is (703) 305-3718.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9618.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Application/Control Number: 09074300

Page 9

Art Unit: 2787

Washington, D.C. 20231


**Or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305-9724, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

  
JOSEPH E. PALYS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700

Ronald D. Hartman Jr.

Patent Examiner

Art Unit 2787

September 14, 1999

**Notice of References Cited**

Application No. 09/074,300	Applicant(s) Ian Hendry
Examiner Ronald D. Hartman Jr.	Group Art Unit 2151 Page 1 of 1

**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,682,529	3/14/94	Hendry et al.	395	653
B	5,469,223	3/4/94	Kimura	348	581
C	5,282,268	8/14/91	Mieras et al.	395	164
D	5,276,630	7/23/90	Baldwin et al.	364	505
E	5,014,193	10/14/88	Garner et al.	364	200
F					
G					
H					
I					
J					
K					
L					
M					

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

**NON-PATENT DOCUMENTS**

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

INFORMATION DISCLOSURE CITATION				ATTORNEY'S DKT NO. P2232-460	APPLICATION NO. 09/074,300		
PTO-1449				APPLICANT Ian HENDRY et al.			
				FILING DATE May 8, 1998		GROUP <del>2774</del> 2121	
PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
RDH	5,682,529	10/28/97	Hendry et al.				
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER	Ronald D Hartman Jr.			DATE CONSIDERED	10/26/99		

RECEIVED  
 OCT 26 1998  
 U.S. PATENT & TRADEMARK OFFICE

**RECEIVED**  
 OCT 2 / 1998  
 Group 2700

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION**

PTO-1449

ATTORNEY'S REF. NO. P2232-480		APPLICATION NO. 09/074,300	
APPLICANT Ian HENDRY et al.			
FILING DATE May 8, 1998		GROUP 2774 2121	

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
RDH	5,825,359	10/1998	Derby et al.	345	344	

FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

OTHER DOCUMENTS (including Author, Title, Date, Patent, Page, etc.)	

EXAMINER <i>Ronald D Hartman Jr.</i>	DATE CONSIDERED <i>10/26/99</i>
---	------------------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

09/074300

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 5/8/98 are:

- A.  approved by the Draftsperson under 37 CFR 1.84 or 1.152.
- B.  objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:                  Black ink. Color.                  ___ Color drawings are not acceptable until petition is granted.                  Fig(s) _____                  ___ Pencil and non black ink not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84 (b)                  ___ 1 full-tone set is required. Fig(s) _____                  ___ Photographs not properly mounted (must use bristol board or photographic double-weight paper). Fig(s) _____                  ___ Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(e)                  ___ Paper not flexible, strong, white, and durable.                  Fig(s) _____                  ___ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____                  ___ Mylar, velum paper is not acceptable (too thin).                  Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:                  ___ 21.0 cm by 29.7 cm (DIN size A4)                  ___ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)                  ___ All drawing sheets not the same size.                  Sheet(s) _____                  ___ Drawings sheets not an acceptable size. Fig(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins:                  Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm                  SIZE: A4 Size                  Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm                  SIZE: 8 1/2 x 11                  Margins not acceptable. Fig(s) <u>114, 5</u>                  ___ Top (T) ___ Left (L)                  ___ Right (R) ___ Bottom (B)</p> <p>6. VIEWS. 37 CFR 1.84(h)                  REMINDER: Specification may require revision to correspond to drawing changes.                  Partial views. 37 CFR 1.84(h)(2)                  ___ Brackets needed to show figure as one entity.                  Fig(s) _____                  ___ Views not labeled separately or properly.                  Fig(s) _____                  ___ Enlarged view not labeled separately or properly.                  Fig(s) _____</p> <p>7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)                  ___ Hatching not indicated for sectional portions of an object.                  Fig(s) _____                  ___ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>	<p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)                  ___ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k)                  ___ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.                  Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, &amp; LETTERS. 37 CFR 1.84(j)                  ___ Lines, numbers &amp; letters not uniformly thick and well defined, clean, durable, and black (poor line quality).                  Fig(s) _____</p> <p>11. SHADING. 37 CFR 1.84(m)                  ___ Solid black areas pale. Fig(s) _____                  ___ Solid black shading not permitted. Fig(s) _____                  ___ Shade lines, pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, &amp; REFERENCE CHARACTERS. 37 CFR 1.84(p)                  ___ Numbers and reference characters not plain and legible.                  Fig(s) _____                  ___ Figure legends are poor. Fig(s) _____                  ___ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1).                  Fig(s) _____                  ___ English alphabet not used: 37 CFR 1.84(p)(2)                  Figs _____                  ___ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3)                  Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q)                  ___ Lead lines cross each other. Fig(s) _____                  ___ Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)                  ___ Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u)                  ___ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w)                  ___ Corrections not made from prior PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152                  ___ Surface shading shown not appropriate. Fig(s) _____                  ___ Solid black shading not used for color contrast.                  Fig(s) _____</p>
<p>COMMENTS</p>	

REVIEWER R.D. DATE 4/13/01 TELEPHONE NO. \_\_\_\_\_

ATTACHMENT TO PAPER NO. #67

**WEST**

**Search Results -**

Term	Documents
713/100.USPT.	201
713/100S	0
710/8.USPT.	288
710/8S	0
710/10.USPT.	193
710/10S	0
710/17.USPT.	61
710/17S	0
710/46.USPT.	56
710/46S	0
((L1)AND(713/100.CCLS. OR 710/8.CCLS. OR 710/10.CCLS. OR 710/17.CCLS. OR 710/46.CCLS. OR 710/47.CCLS. OR 710/48.CCLS. OR 714/5.CCLS. OR 714/7.CCLS.))USPT.	22

There are more results than shown above, [click here to view the entire set.](#)

Database:  ▼

Refine Search:  ▼

**Search History**

<u>DB Name</u>	<u>Query</u>	<u>Hit Count</u>	<u>Set Name</u>
USPT	(11)and(713/100.ccls. or 710/8.ccls. or 710/10.ccls. or 710/17.ccls. or 710/46.ccls. or 710/47.ccls. or 710/48.ccls. or 714/5.ccls. or 714/7.ccls.)	22	<u>L2</u>
USPT	(hot)(plugging or docking or insertion or swapping)	261	<u>L1</u>