

Exhibit 7

April 28, 2010 Order entered by the USPTO granting *ex parte* reexamination of U.S. Patent No. 5,634,074.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/010,964	04/28/2010	5634074	0919/01029	8064
21839	7590	07/14/2010	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			ART UNIT	PAPER NUMBER

DATE MAILED: 07/14/2010

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

Order Granting / Denying Request For Ex Parte Reexamination	Control No. 90/010,964	Patent Under Reexamination 5634074	
	Examiner Christina Y. Leung	Art Unit 3992	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The request for *ex parte* reexamination filed 28 April 2010 has been considered and a determination has been made. An identification of the claims, the references relied upon, and the rationale supporting the determination are attached.

Attachments: a) PTO-892, b) PTO/SB/08, c) Other: _____

1. The request for *ex parte* reexamination is GRANTED.

RESPONSE TIMES ARE SET AS FOLLOWS:

For Patent Owner's Statement (Optional): TWO MONTHS from the mailing date of this communication (37 CFR 1.530 (b)). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).**

For Requester's Reply (optional): TWO MONTHS from the **date of service** of any timely filed Patent Owner's Statement (37 CFR 1.535). **NO EXTENSION OF THIS TIME PERIOD IS PERMITTED.** If Patent Owner does not file a timely statement under 37 CFR 1.530(b), then no reply by requester is permitted.

2. The request for *ex parte* reexamination is DENIED.

This decision is not appealable (35 U.S.C. 303(c)). Requester may seek review by petition to the Commissioner under 37 CFR 1.181 within ONE MONTH from the mailing date of this communication (37 CFR 1.515(c)). **EXTENSION OF TIME TO FILE SUCH A PETITION UNDER 37 CFR 1.181 ARE AVAILABLE ONLY BY PETITION TO SUSPEND OR WAIVE THE REGULATIONS UNDER 37 CFR 1.183.**

In due course, a refund under 37 CFR 1.26 (c) will be made to requester:

- a) by Treasury check or,
- b) by credit to Deposit Account No. _____, or
- c) by credit to a credit card account, unless otherwise notified (35 U.S.C. 303(c)).

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

DECISION GRANTING EX PARTE REEXAMINATION

Decision on the Request

The present request for *ex parte* reexamination raises a substantial new question of patentability with respect to claims 1-19 of United States Patent 5,634,074 A to Devon.

References Cited in the Request

Riikonen (US 4,025,906 A)

Bertsch (US 5,195,085 A)

Understanding Data Communications (George Friend et al., Understanding Data Communications, Howard W. Sams & Co., 1984)

Issues Raised by the Request

Issue 1

The request alleges that Riikonen alone raises a substantial new question of patentability with respect to claim 1

Issue 2

The request alleges that Bertsch in combination with Riikonen raises a substantial new question of patentability with respect to claims 1, 2, and 8.

Issue 3

The request alleges that Bertsch in combination with Riikonen and Understanding Data Communications raises a substantial new question of patentability with respect to claims 1-19.

The Devon Patent

The Devon patent is generally directed to a method of identifying an I/O device connected to a computer through a serial interface. Claim 1 is representative:

Art Unit: 3992

1. In a system comprising a computer and an I/O device connected to the computer through a serial interface by a serial cable no more than a few feet in length, a method of identifying the I/O device, comprising the steps of:

in response to at least one of a power-up reset signal and a control signal from the computer, sending from the I/O device to the computer a beacon signal comprising a sequence of bytes identifying the I/O device; and

in response to the beacon signal, determining within the computer a manner of interaction of the computer with the I/O device.

Prosecution History

Claims 1-19 are the current claims in the Devon patent, which issued 27 March 1997 from application 08/059,598 filed 07 May 1993.

07 May 1993: Applicant originally filed claims 1-20.

19 May 1995: Examiner rejected claims 1-7 under 35 U.S.C. 103 as being unpatentable over Sullivan (US 4,773,005 A) in view of Dorfe (US 5,204,669 A); and claims 8-20 under 35 U.S.C. 103 as being unpatentable over Sullivan in view of Dorfe and Comer ("Internetworking with TCP/IP, Volume I").

07 August 1995: Applicant amended claim 1 and canceled claim 2.

28 September 1995: Examiner finally rejected claims 1 and 3-7 under 35 U.S.C. 103 as being unpatentable over Sullivan in view of Dorfe and Engdahl (US 5,452,420 A); and claims 8-20 under 35 U.S.C. 103 as being unpatentable over Sullivan in view of Dorfe, Engdahl, and Comer.

02 February 1996: Applicant requested reconsideration of the final Office action.

27 February 1996: Examiner mailed an advisory action maintaining the rejections of claims 1 and 3-20.

02 April 1996: Applicant filed an appeal brief and amended claims 1, 3, 4, and 7-9 to correct informalities.

18 July 1996: Examiner reopened prosecution and rejected claims 1, 4, 8, and 12 under 35 U.S.C. 102 as being anticipated by Clark (GB 2,255,887 A); claims 3, 5-7, 9, and 11 under 35 U.S.C. 103 as being unpatentable over Clark in view of Arpin (US 4,750,136 A); and claims 10, 13, 14, and 15-20 under 35 U.S.C. 103 as being unpatentable over Clark in view of Arpin and Comer.

05 September 1996: Applicant amended claim 1.

14 November 1996: Examiner allowed claims 1 and 3-20 without an explicit statement of reasons for allowance.

Detailed Analysis

Claims 1-19 will be reexamined. In view of the prosecution history, a substantial new question of patentability is raised by the evaluation of a prior art reference (or combination of prior art references) that teaches the features and limitations added to the claims in the 05 September 1996 amendment. Specifically these limitations include sending a beacon signal from an I/O device that is connected to a computer no more than a few feet away, and determining a manner of interaction of the computer with the I/O device in response to the beacon signal.

Issue 1

Riikonen is new prior art. Riikonen teaches, among other things, sending an identification code from a peripheral device, such as a serial printer, to a controller unit in a data processing

Art Unit: 3992

system and using the identification code to configure the device (column 1, lines 54-67; column 2, lines 2-12; column 3, lines 8-16; column 8, lines 42-53). Since this teaching is directly related to subject matter considered the basis for allowability of claim 1, a reasonable examiner would consider Riikonen important in determining the patentability of the claims. Therefore, Riikonen raises a substantial new question of patentability with respect to claims 1-19.

Issues 2 and 3

Bertsch is new prior art. Bertsch teaches, among other things, sending identifying signals from a local I/O device to a computer and using the identifying signals to determine a manner of interaction of the computer with the I/O device (column 2, lines 28-47; column 6, lines 4-22; column 7, lines 7-21). Since this teaching is directly related to subject matter considered the basis for allowability of claims 1-19, a reasonable examiner would consider Bertsch important in determining the patentability of the claims. Therefore, Bertsch in combination with Riikonen only, or with Riikonen and Understanding Data Communications, raises a substantial new question of patentability with respect to claims 1-19.

Conclusion

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to “an applicant” and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 305 requires that reexamination proceedings “will be conducted with special dispatch” (37 CFR 1.550(a)). Extension of time in *ex parte* reexamination proceedings are provided for in 37 CFR 1.550(c).

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving

Art Unit: 3992

Patent No. 5,634,074 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

All correspondence relating to this ex parte reexamination proceeding should be directed:

By mail to: Mail Stop *Ex Parte* Reexam
 Central Reexamination Unit
 Commissioner for Patents
 United States Patent & Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

By fax to: (571) 273-9900
 Central Reexamination Unit

By hand to: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Any inquiry concerning this communication should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/Christina Y. Leung/

Primary Examiner, Art Unit 3992

/D. M. H./

Primary Examiner, Art Unit 3992

ESK

Substitute for form 1449/PTO (Revised 07/2007) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	08/059,598
				Filing Date	May 7, 1993
				Patent Number	5,634,074 (Exhibit A)
				Issue Date	May 27, 1997
				First Named Inventor	Devon et al.
				Art Unit	2317
Examiner Name	Le Hien Luu				
Sheet	1	of	1	Attorney Docket Number	0919/01029
U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
/CL/	1	US-4,025,906 (Exhibit B)	05-24-1977	Riikonen	
/CL/	2	US-5,195,085 (Exhibit C)	03-16-1993	Bertsch et al.	
OTHER DOCUMENTS					
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			English Language Translation Attached
/CL/	3	FRIEND et al., Understanding Data Communications, 1984, 1 st Edition, 2d Pr. 1986, Howard W. Sams & Co., pages 1-(6-7), 2-(18-26), 4-(3-22), 5-(1-20), 7-(10-25) and 8-(1-28), Radio Shack (Exhibit D)			
Examiner Signature	/Christina Leung/			Date Considered	07/08/2010

*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.