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Huawei Technologies Co., Ltd. c/o Conley Rose, P.C. 5601 Granite Parkway, Suite 500 Plano, TX 75024			EXAMINER ZAIDI, IQBAL	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dallaspatents@dfw.conleyrose.com  
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**DETAILED ACTION**

1. The instant application having application No 16/238938 filed on 01/03/2019 is presented for examination by the examiner.

**Oath/Declaration**

2. The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in 37 C.F.R 1.63.

**Information Disclosure Statement**

3. The information disclosure statement (IDS) submitted on 01/03/2019, 03/14/2019 and 04/01/2019. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

**Examiner Notice**

4. **Claim 1** would be allowable if (i) claim 2 is incorporated into the independent claim 1, (ii) if obviousness-Variant type double patenting rejection resolved.

5. **Claim 9** would be allowable if (i) claim 10 is incorporated into the independent claim 9, (ii) if obviousness-Variant type double patenting rejection resolved.

6. The **claims 1, 4, 7, 9 and 15** have the conditional limitation "to communicate with a first service function (SF) node on a service chain **after** obtaining a first fault tracing

detection request packet” and “the updated node list is a list generated **after** the ID of the first SF node is added to the node list” and “**when** the ID of the first SF node” and “**before** the sending, by the SFE” if a channel is used upon activating of the method” and “a service chain **after** obtaining a first fault tracing detection request packet”, please clarify the conditional language features from the limitations of the claims, See MPEP 2111.04.II provides guidance for contingent limitations.

### **Double Patenting**

7. **Claims 1-16** are rejected under the judicially created doctrine of **obviousness-Variant type double patenting** as being unpatentable over **claims 2-9, 11-18, and 20-21 of U.S. Patent # 15360234**. Although the conflicting claims are not identical, they are not patentably distinct from each other. **Claims 2-9, 11-18, and 20-21 of US Patent # 10181989** each contains every element of Claims 2-34 respectively of the instant application and thus anticipates the claims of the instant application. Claim(s) of the instant application therefore is/are not patently distinct from the earlier patent claim(s) and as such is/are unpatentable over obvious-type double patenting. A later patent/application claim is not patentably distinct from an earlier claim if the later claim is anticipated by the earlier claim.

“A later patent claim is not patentably distinct from an earlier patent claim if the later claim **is obvious over, or anticipated by**, the earlier claim. *In re Longi*, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); *In re*

*Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998)* (affirming a holding of obviousness type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus)". *ELI LILLY AND COMPANY v BARR LABORATORIES, INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001)*.

"Claims 1-16 are generic to the species of invention covered by claims 2-9, 11-18, and 20-21 of the patent. Thus, the generic invention is "anticipated" by the species of the patented invention. *Cf., Titanium Metals Corp. v. Banner, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985) (holding that an earlier species disclosure in the prior art defeats any generic claim)*. This court's predecessor has held that, without a terminal disclaimer, the species claims preclude issuance of the generic application. *In re Van Ornum, 686 F.2d 937, 944, 214 USPQ 761, 767 (CCPA 1982)*. Accordingly, absent a terminal disclaimer, claims 1-20 were properly rejected under the doctrine of obviousness-type double patenting". *In re Goodman (CA FC) 29 USPQ2d 2010 (12/3/1993)*.

For claim 1, Patent Application discloses a service chain fault detection method, wherein the method comprises determining, by a service forwarding entity (SFE), to communicate with a first service function (SF) node on a service chain after obtaining a first fault tracing detection request packet, wherein the first fault tracing detection request packet comprises a path identifier (ID), and the path ID is used to identify a path of the service chain; obtaining, by the SFE, an ID of the first SF node; and sending, by the

SFE, a first fault tracing detection response packet to the device for initiating fault detection, wherein the first fault tracing detection response packet comprises the path ID and the ID of the first SF node(*see claim 2*).

For claim 2, Patent Application discloses the determining, by an SFE, to communicate with a first SF node on the service chain comprises determining, by the SFE based on the path ID, to forward the first fault tracing detection request packet by using a first forwarding entry, wherein the first forwarding entry comprises the path ID and an address of the first SF node; sending, by the SFE, the first fault tracing detection request packet to the first SF node based on the address of the first SF node; and receiving, by the SFE, a second fault tracing detection request packet from the first SF node, wherein the second fault tracing detection request packet comprises the path ID(*see claim 2*).

For claim 3, Patent Application discloses the first fault tracing detection request packet further comprises a first parameter, the first parameter is used to identify the first SF node or is used to identify a previous-hop SF node of the first SF node on the service chain, and the first forwarding entry further comprises the first parameter; and the determining, by the SFE based on the path ID, to forward the first fault tracing detection request packet by using a first forwarding entry comprises: determining, by the SFE based on the first parameter and the path ID, to forward the first fault tracing detection request packet by using the first forwarding entry(*see claim 3*).

For claim 4, Patent Application discloses before the sending, by the SFE, a first fault tracing detection response packet to the device for initiating fault detection, the method further comprises sending, by the SFE, a second fault tracing detection response packet

to the device for initiating fault detection, wherein the second fault tracing detection response packet comprises the path ID and an ID of the SFE (*see claim 2*).

For claim 5, Patent Application discloses the first fault tracing detection request packet further comprises a node list, and the node list comprises an ID of the previous-hop SF node of the first SF node on the service chain; and before the sending, by the SFE, a first fault tracing detection response packet to the device for initiating fault detection, the method further comprises obtaining, by the SFE, an updated node list, wherein the updated node list is a list generated after the ID of the first SF node is added to the node list, and an order of all SF nodes comprised in the updated node list is the same as an order of all the SF nodes on the service chain; and adding, by the SFE, the updated node list to the first fault tracing detection response packet(*see claim 2*).

For claim 6, Patent Application discloses the method further comprises adding, by the SFE, at least one of the first parameter or the ID of the SFE to the first fault tracing detection response packet(*see claim 2*).

For claim 7, Patent Application discloses the first fault tracing detection request packet further comprises an ID of an SF node used as an end point; and after the sending, by the SFE, a first fault tracing detection response packet to the device for initiating fault detection, the method further comprises ending, by the SFE, detection on the service chain when the ID of the first SF node is the same as the ID of the SF node used as the end point (*see claim 2*).

For claim 8, Patent Application discloses the method further comprises receiving, by the SFE, the first fault tracing detection request packet sent by the device for initiating fault detection to obtain the first fault tracing detection request packet; or receiving, by the SFE,

the first fault tracing detection request packet sent by a previous-hop SFE of the SFE on the service chain to obtain the first fault tracing detection request packet; or generating, by the SFE, the first fault tracing detection request packet to obtain the first fault tracing detection request packet(*see claim 5*).

For claim 9, Patent Application discloses a service forwarding apparatus, wherein the service forwarding apparatus comprising a memory storing instructions; and a processor coupled to the memory to execute the instructions to determine to communicate with a first service function (SF) node on a service chain after obtaining a first fault tracing detection request packet, wherein the first fault tracing detection request packet comprises a path identifier (ID), and the path ID is used to identify a path of the service chain; obtain an ID of the first SF node; and send a first fault tracing detection response packet to the device for initiating fault detection, wherein the first fault tracing detection response packet comprises the path ID and the ID of the first SF node(*see claim 11*).

For claim 10, Patent Application discloses the processor is instructed to determine, based on the path ID, to forward the first fault tracing detection request packet by using a first forwarding entry, wherein the first forwarding entry comprises the path ID and an address of the first SF node; send the first fault tracing detection request packet to the first SF node based on the address of the first SF node; and receive a second fault tracing detection request packet from the first SF node, wherein the second fault tracing detection request packet comprises the path ID(*see claim 11*).

For claim 11, Patent Application discloses the first fault tracing detection request packet further comprises a first parameter, the first parameter is used to identify the first SF node or is used to identify a previous-hop SF node of the first SF node on the service chain,



and the first forwarding entry further comprises the first parameter; and wherein the processor is further instructed to determine, based on the first parameter and the path ID, to forward the first fault tracing detection request packet by using the first forwarding entry (*see claim 12*).

For claim 12, Patent Application discloses the processor is further instructed to send a second fault tracing detection response packet to the device for initiating fault detection, wherein the second fault tracing detection response packet comprises the path ID and an ID of the service forwarding apparatus (*see claim 11*).

For claim 13, Patent Application discloses the first fault tracing detection request packet further comprises a node list, and the node list comprises an ID of the previous-hop SF node of the first SF node on the service chain; wherein the processor is further instructed to obtain an updated node list, wherein the updated node list is a list generated after the ID of the first SF node is added to the node list, and an order of all SF nodes comprised in the updated node list is the same as an order of all the SF nodes on the service chain; and add the updated node list to the first fault tracing detection response packet (*see claim 11*).

For claim 14, Patent Application discloses the processor is further instructed to add at least one of the first parameter or the ID of the SFE to the first fault tracing detection response packet (*see claim 2*).

For claim 15, Patent Application discloses the first fault tracing detection request packet further comprises an ID of an SF node used as an end point; and wherein the

processor is further instructed to end detection on the service chain when the ID of the first SF node is the same as the ID of the SF node used as the end point (*see claim 11*).

For claim 16, Patent Application discloses the method further comprises receive the first fault tracing detection request packet sent by the device for initiating fault detection to obtain the first fault tracing detection request packet; or receive the first fault tracing detection request packet sent by a previous-hop SFE of the SFE on the service chain to obtain the first fault tracing detection request packet; or generate the first fault tracing detection request packet to obtain the first fault tracing detection request packet (*see claim 18*).

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

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

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102 of this title, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1, 4, 8-9, 12 and 16** are rejected under 35 U.S.C. 103 as being unpatentable over Rajagopal et al. (US 20150227404, Aug. 13, 2015) in view of JOKELA et al. (US 20160254998, Sep. 1, 2016).

Regarding **Claim 1**, Rajagopal discloses to communicate with a first service function (SF) node on a service chain after obtaining a first fault tracing detection request

*packet (page 2, par(0023), line 1-10, Upon obtaining fault related data, agent device generate the central fault report, and provide it to diagnostics server (service function node) for fault detection),*

*wherein the first fault tracing detection request packet comprises a path identifier (ID), and the path ID is used to identify a path of the service chain (page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node because several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs);*

*and sending, by the SFE, a first fault tracing detection response packet to the device for initiating fault detection, wherein the first fault tracing detection response packet comprises the path ID and the ID of the first SF node (page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node*

*communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs).*

Rajagopal discloses all aspects of the claimed invention, except *a service chain fault detection method, wherein the method comprises determining, by a service forwarding entity (SFE), obtaining, by the SFE, an ID of the first SF node.*

JOKELA is the same field of invention teaches a service chain fault detection method, wherein the method comprises determining, by a service forwarding entity (SFE) *(page 3, par (0040), line 10-20, the SPEs in each node is operatively coupled to a Service Forwarding Entity (SFE), which routes the data packets to their intended physical and virtual nodes from an SFE point of view, the SPEs appears as virtual/physical nodes when a forwarding decisions is made based on an iBF of a data packet), obtaining, by the SFE, an ID of the first SF node (page 9, par (0088), line 1-10, the SFE receives an updated iBF where one more link identifiers as indicated in the complementing information has been included such that the data packet can be forwarded to its intended node, the SFE of the network node updates the iBF, the updated iBF is added to the data packet accordingly and forwarded to its intended destination).*

Rajagopal and JOKELA are analogous art because they are from the same field of endeavor of access to a service device.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of Rajagopal to include the teaching of JOKELA

because it is providing iBF, determine that a service is to be provided by the virtual node SPE, before deriving the final destination from the iBF, which subsequently will deliver the data packet to its intended destination node.

Regarding **Claim 4**, Rajagopal discloses before the sending, by the SFE, a first fault tracing detection response packet to the device for initiating fault detection, the method further comprises sending, by the SFE, a second fault tracing detection response packet to the device for initiating fault detection(*page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs*),

wherein the second fault tracing detection response packet comprises the path ID and an ID of the SFE (*page 9, par (0088), line 1-10, the SFE receives an updated iBF where one more link identifiers as indicated in the complementing information has been included such that the data packet can be forwarded to its intended node, the SFE of the network node updates the iBF, the updated iBF is added to the data packet accordingly and forwarded to its intended destination*).

Regarding **Claim 8**, Rajagopal discloses the method further comprises receiving, by the SFE, the first fault tracing detection request packet sent by the device for initiating fault detection to obtain the first fault tracing detection request packet; or receiving, by the SFE, the first fault tracing detection request packet sent by a previous-hop SFE of the SFE on the service chain to obtain the first fault tracing detection request packet; or generating, by the SFE, the first fault tracing detection request packet to obtain the first fault tracing detection request packet(*page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs).*

Regarding **Claim 9**, Rajagopal discloses a service forwarding apparatus, wherein the service forwarding apparatus comprising a memory storing instructions; and a processor coupled to the memory to execute the instructions to determine to communicate with a first service function (SF) node on a service chain after obtaining a first fault tracing detection request packet(*page 2, par(0023), line 1-10, Upon obtaining fault related data, agent device generate the central fault report, and provide it to diagnostics server (service function node) for fault detection*), wherein the first fault tracing detection request packet

comprises a path identifier (ID), and the path ID is used to identify a path of the service chain (page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node because several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs);

send a first fault tracing detection response packet to the device for initiating fault detection, wherein the first fault tracing detection response packet comprises the path ID and the ID of the first SF node (page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs).

Rajagopal discloses all aspects of the claimed invention, except *obtain an ID of the first SF node*.

JOKELA is the same field of invention teaches obtaining, by the SFE, an ID of the first SF node *(page 9, par (0088), line 1-10, the SFE receives an updated iBF where one more link identifiers as indicated in the complementing information has been included such that the data packet can be forwarded to its intended node, the SFE of the network node updates the iBF, the updated iBF is added to the data packet accordingly and forwarded to its intended destination)*.

Rajagopal and JOKELA are analogous art because they are from the same field of endeavor of access to a service device.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teaching of Rajagopal to include the teaching of JOKELA because it is providing iBF, determine that a service is to be provided by the virtual node SPE, before deriving the final destination from the iBF, which subsequently will deliver the data packet to its intended destination node.

Regarding **Claim 12**, Rajagopal discloses the processor is further instructed to send a second fault tracing detection response packet to the device for initiating fault detection *(page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the*



*nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs), wherein the second fault tracing detection response packet comprises the path ID and an ID of the service forwarding apparatus (page 9, par (0088), line 1-10, the SFE receives an updated iBF where one more link identifiers as indicated in the complementing information has been included such that the data packet can be forwarded to its intended node, the SFE of the network node updates the iBF, the updated iBF is added to the data packet accordingly and forwarded to its intended destination).*

Regarding **Claim 16**, Rajagopal discloses receive the first fault tracing detection request packet sent by the device for initiating fault detection to obtain the first fault tracing detection request packet; or receive the first fault tracing detection request packet sent by a previous-hop SFE of the SFE on the service chain to obtain the first fault tracing detection request packet; or generate the first fault tracing detection request packet to obtain the first fault tracing detection request packet (page 5, par (0052), line 1-10, When SDS receives a central fault report perform service fault segregation to identify fault nodes where a fault have occurred, and rules to be executed by RE to identify remediation measures. SDS (wherein SDS which is smart diagnostic server does the SFS function obtain the fault information and sending the information) use service chain information and other received service faults to identify the nodes, SDS be able to identify dependencies between central fault records submitted by different SAs, a fault in one node cause several SAs linked to nodes with which the faulty node

*communicates to generate and send central fault records. SDS use the segregation procedure to identify the faulty node based on the multiple central fault records from the multiple linked SAs).*

### **Conclusion**

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

- DUNBAR et al. (US 20150236948, Aug. 20, 2015) teaches Restoring Service Functions After Changing a Service Chain Instance Path.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IQBAL ZAIDI whose telephone number is (571)270-39433943. The examiner can normally be reached on M to Thu 8.a.m to 6.p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NGO RICKY can be reached on 571-272-3139. 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).

/IQBAL ZAIDI/

Primary Examiner, Art Unit 2464