



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/238,938	01/03/2019	Weiping XU	4657-91100	4444
97698	7590	06/29/2020		
Huawei Technologies Co., Ltd. c/o Conley Rose, P.C. 5601 Granite Parkway, Suite 500 Plano, TX 75024			EXAMINER ZAIDI, IQBAL	
			ART UNIT	PAPER NUMBER
			2464	
			NOTIFICATION DATE	DELIVERY MODE
			06/29/2020	ELECTRONIC

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
uspatent@huawei.com

Advisory Action Before the Filing of an Appeal Brief	Application No. 16/238,938	Applicant(s) XU et al.	
	Examiner IQBAL ZAIDI	Art Unit 2464	AIA (FITF) Status Yes

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

THE REPLY FILED 21 May 2020 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

a) ☐ The period for reply expires ____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires ____ months from the mailing date of the prior Advisory Action or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANTS FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because

a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);

b) ☐ They raise the issue of new matter (see NOTE below);

c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

d) ☒ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation sheet. (See 37CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicants reply has overcome the following rejection(s): _____

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☒ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____

13. ☐ Note the attached Information *Disclosure Statement(s)*. (PTO/SB/08) Paper No(s). _____

14. ☒ Other: See Continuation Sheet.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1,8-9 and 16-17.

Claim(s) withdrawn from consideration: _____

/IQBAL ZAIDI/ Primary Examiner, Art Unit 2464	
--	--

In response to the argument on page 12 of Applicant's Remark, "the first fault tracing detection request packet comprises a path ID and that the path ID identifies a path of the service chain". In fact, Examiner interprets the "par (0004), line 1-10, obtaining one or more fault classification rules; identifying one or more fault nodes and associated fault conditions in the media network using the one or more fault classification rules, by analyzing the aggregated relevant fault reports; and providing an agent configuration instruction for one or more agent applications using the identification of the one or more fault nodes and associated fault conditions" according to Rajagopal's disclosure.

The examiner would like to further explain also see par (0053), lines 1-10, FAE use the fault classification map to identify the service chain component at issue. FAE identify fault nodes that are part of the service chain component in the fault scenario map. FAE then performs fault scenario identification. FAE analyze the edges (e.g., communication links) (wherein the communication link is the path to connect the nodes it is obvious every link has the link ID or the path ID to establish the link or the path with the nodes) associated with the triggered node(s) that satisfies edge conditions, and thereby attempts to identify an origin node of the fault scenarios that are linked, where a fault in one node causes several SAs linked to nodes with which the faulty node communicates to send central fault records, all nodes included in the fault scenario map, and FAE identify the faulty node as the origin node (wherein in the broadest interpretation of the claim language the fault tracing request packet has the path ID to identify the link or path of the service chain).

In response to the argument on page 13 of Applicant's Remark, "sending a first fault tracing detection response packet to a 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". In fact, Examiner interprets the "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" according to Rajagopal's disclosure.

The examiner would like to further explain also see par (0024), lines 1-10, diagnostics server make a data request to an agent (e.g., agent process) or device (e.g., device) for data response. Upon obtaining data response, diagnostics server identify remediation actions, and generate corrective action message for agent device. agent device, determine that additional information is needed before the corrective action can be implemented, and make a data request for the correction-related data, Upon obtaining correction-related data, agent device generate a correction message for device with instructions to remedy the identified fault (wherein in the broadest interpretation of the claim language the fault tracing request packet has the path ID to identify the link or path of the service chain to identify the fault link and the node)

Thus, Rajagopal's disclosure still covers the limitations of claim 1 and 9. Therefore, Examiner respectfully disagrees with Applicant's arguments.

Therefore, Examiner respectfully disagrees with Applicant's arguments.

Thus, Rajagopal's and in view of Jokela disclosures still cover the limitations of claims 1 and 9, and 17.

Therefore, Examiner respectfully disagrees with Applicant's arguments.