

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference VIEWP085X1WO	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2017/061054	International filing date (<i>day/month/year</i>) 10 November 2017 (10.11.2017)	Priority date (<i>day/month/year</i>) 30 November 2016 (30.11.2016)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant VIEW, INC.			

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</p> <p>2. This REPORT consists of a total of 10 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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	Date of issuance of this report 04 June 2019 (04.06.2019)
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: GRIFFITH, JOHN F. WEAVER AUSTIN VILLENEUVE & SAMPSON LLP P. O. BOX 70250 OAKLAND CA 94612-0250 USA		Date of mailing (day/month/year) 02 April 2018 (02.04.2018)	
Applicant's or agent's file reference VIEWP085X1WO		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/US2017/061054	International filing date (day/month/year) 10 November 2017 (10.11.2017)	Priority date(day/month/year) 30 November 2016 (30.11.2016)	
International Patent Classification (IPC) or both national classification and IPC G02F 1/163(2006.01)i, E06B 9/24(2006.01)i, H02J 13/00(2006.01)i, H01B 9/00(2006.01)i			
Applicant VIEW, INC.			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA/KR International Application Division Korean Intellectual Property Office 189 Cheongsa-ro, Seo-gu, Daejeon, 35208, Republic of Korea Facsimile No. +82-42-481-8578	Date of completion of this opinion 30 March 2018 (30.03.2018)	Authorized officer LEE, Seoung Young Telephone No. +82-42-481-3535
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2017/061054

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of :
 - the international application in the language in which it was filed
 - a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.I(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:
 - a. forming part of the international application as filed:
 - in the form of an Annex C/ST.25 text file.
 - on paper or in the form of an image file.
 - b. furnished together with the international application under PCT Rule 13*ter*.I(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
 - c. furnished subsequent to the international filing date for the purposes of international search only:
 - in the form of an Annex C/ST.25 text file (Rule 13*ter*.I(a)).
 - on paper or in the form of an image file (Rule 13*ter*.I(b) and Administrative Instructions, Section 713).
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application

claims Nos. 5-15,20-27,31

because:

the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international search (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 6-8,14-15,22-23
are so unclear that no meaningful opinion could be formed (*specify*):

Claims 6-8, 14-15, 22-23 are considered to be unclear in that they refer to one of the claims which do not comply with PCT Rule 6.4(a).

the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed (*specify*):

no international search report has been established for said claims Nos. 5-15,20-27,31

a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

furnish a sequence listing in the form of an Annex C/ST.25 text file, and such listing was not available to the International Searching Authority in the form and manner acceptable to it; or the sequence listing furnished did not comply with the standard provided for in Annex C of the Administrative Instructions.

furnish a sequence listing on paper or in the form of an image file complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in the form and manner acceptable to it; or the sequence listing furnished did not comply with the standard provided for in Annex C of the Administrative Instructions.

pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

See Supplemental Box for further details.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-4,16-19,28-30</u>	YES
	Claims	<u>NONE</u>	NO
Inventive step (IS)	Claims	<u>NONE</u>	YES
	Claims	<u>1-4,16-19,28-30</u>	NO
Industrial applicability (IA)	Claims	<u>1-4,16-19,28-30</u>	YES
	Claims	<u>NONE</u>	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: WO 2015-134789 A1 (VIEW, INC.) 11 September 2015

D2: US 8140276 B2 (JEFF WALTERS et al.) 20 March 2012

2.1 Novelty (PCT Article 33(2)) and Inventive Step (PCT Article 33(3))

2.1.1 Claims 1-4

D1, which is considered to be the closest prior art to the subject matter of claim 1, discloses a system, wherein information contained in Figure 13 shows that a constant command was issued by a high level controller (e.g., a master network controller), but a window controller's applied voltage and current show rapid and significant changes, which may be diagnosed as a problem with a connection (see paragraph [0147]; and figure 13 in D1).

The subject matter of claim 1 differs from that of D1 in the features of a control panel monitor and sense circuitry. However, the different features can be easily derived from the feature of D2 in analogous art considering a first voltage sensor for measuring a line voltage received by an intelligent luminaire manager and a second voltage sensor for measuring a load voltage associated with a luminaire to determine a miswiring configuration associated with one or both of the intelligent luminaire manager and the luminaire (see claim 1 in D2). Accordingly, it would be obvious to a person skilled in the art to combine the disclosures of D1 and D2, thereby arriving at the claim. Therefore, claim 1 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 2 can be easily derived from the feature of D1 considering implementing corrections (see paragraph [0060] in D1). Accordingly,

Continued on Supplemental Box

**WRITTEN OPINION OF THE
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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claims 5, 9-13, 20-21, 24-27, 31 do not comply with PCT Rule 6.4(a) because multiple dependent claims should not serve as a basis for any other multiple dependent claims.

**WRITTEN OPINION OF THE
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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 28 is unclear because "the power distribution network" has not been previously defined. Therefore, claim 28 does not meet the requirements of PCT Article 6.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of : Box No. V

claim 2 would have been obvious over D1 in view of D2. Therefore, claim 2 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 3 can be merely a matter of design option in view of the feature of D1 considering modifying a switching algorithm so that a switchable device switches at an expected rate (see paragraph [0057] in D1). Accordingly, claim 3 would have been obvious over D1 in view of D2. Therefore, claim 3 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 4 can be easily derived from the feature of D1 considering that a site monitoring system can take action to isolate a source of the problem (see paragraph [0057] in D1). Accordingly, claim 4 would have been obvious over D1 in view of D2. Therefore, claim 4 lacks an inventive step under PCT Article 33(3).

2.1.2 Claims 16-19

D1, which is considered to be the closest prior art to the subject matter of claim 16, discloses a method, wherein information contained in Figure 13 shows that a constant command was issued by a high level controller (e.g., a master network controller), but a window controller's applied voltage and current show rapid and significant changes, which may be diagnosed as a problem with a connection (see paragraph [0147]; and figure 13 in D1).

The subject matter of claim 16 differs from that of D1 in the features of determining a control panel voltage and determining a first window controller voltage. However, the different features can be easily derived from the feature of D2 in analogous art considering measuring a line voltage received by an intelligent luminaire manager and measuring a load voltage associated with a luminaire to determine a miswiring configuration associated with one or both of an intelligent luminaire manager and a luminaire (see claim 1 in D2). Accordingly, it would be obvious to a person skilled in the art to combine the disclosures of D1 and D2, thereby arriving at the claim. Therefore, claim 16 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 17 can be easily derived from the feature of D1

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considering implementing corrections (see paragraph [0060] in D1). Accordingly, claim 17 would have been obvious over D1 in view of D2. Therefore, claim 17 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 18 can be merely a matter of design option in view of the feature of D1 considering modifying a switching algorithm so that a switchable device switches at an expected rate (see paragraph [0057] in D1). Accordingly, claim 18 would have been obvious over D1 in view of D2. Therefore, claim 18 lacks an inventive step under PCT Article 33(3).

The additional feature of claim 19 can be easily derived from the feature of D1 considering that a site monitoring system can take action to isolate a source of the problem (see paragraph [0057] in D1). Accordingly, claim 19 would have been obvious over D1 in view of D2. Therefore, claim 19 lacks an inventive step under PCT Article 33(3).

2.1.3 Claims 28–30

The feature of claim 28 relates to a computer program product and is substantially the same as those of claim 16 except for the category of invention. Accordingly, the same reasoning as in claim 16 applies to claim 28. Therefore, claim 28 lacks an inventive step under PCT Article 33(3) as being obvious over D1 in view of D2.

The additional feature of claim 29 is substantially the same as that of claim 17 except for the category of invention. Accordingly, the same reasoning as in claim 17 applies to claim 29. Therefore, claim 29 lacks an inventive step under PCT Article 33(3) as being obvious over D1 in view of D2.

The additional feature of claim 30 can be easily derived from the feature of D2 considering determining a miswiring configuration based on a comparison of a line voltage to a load voltage (see claim 1 in D2). Accordingly, claim 30 would have been obvious over D1 in view of D2. Therefore, claim 30 lacks an inventive step under PCT Article 33(3).

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2.2 Industrial Applicability (PCT Article 33(4))

Claims 1-4, 16-19, 28-30 are industrially applicable under PCT Article 33(4).