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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/306,074	04/24/2023	Katherine Yerre Koehler	0546-US08CON	2826

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EXAMINER
JANG, CHRISTIAN Y

ART UNIT	PAPER NUMBER
3791	

NOTIFICATION DATE	DELIVERY MODE
04/27/2026	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):

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Office Action Summary	Application No. 18/306,074	Applicant(s) Koehler et al.	
	Examiner CHRISTIAN JANG	Art Unit 3791	AIA (First Inventor to File) Status Yes

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

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

2a)☐ This action is **FINAL.** 2b) ☑ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ 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.

Disposition of Claims*

5) ☑ Claim(s) 21-40 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 21-40 is/are rejected.

8) ☐ Claim(s) _____ is/are objected to.

9) ☐ Claim(s) _____ are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☑ Notice of References Cited (PTO-892)

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

3) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

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 –
>
> (a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention.
>
> (a)(2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.

Claim(s) 21-22, 24-28, 30, 31, 33-37, 39, and 40 are is/are rejected under 35 U.S.C. 102(a)(1) and (a)(2) as being anticipated by Saidara et al. (US 2005/0038332).

As to claims 21, 30, and 39, Saidara teaches a method, comprising: identifying, by at least one processor, one or more glucose threshold levels, wherein each of the one or more glucose threshold levels is associated with a different predetermined alert of one or more predetermined alerts (Fig. 4A – multiple thresholds; [0120] - each with a different alarm); in response to determining, by the at least one processor, a commencement of a predetermined time period during which a patient is expected to have a decreased level of responsiveness ([0146] – manual or automatic activation of night mode): adjusting, by the at least one processor, the one or more glucose threshold levels and/or one or more characteristics of at least one of the one or more predetermined alerts associated with the one or more glucose threshold levels ([0150] – setting different alarm thresholds, [0149] – different tone or audibility); identifying, by the at least one processor, a current glucose level of the patient; and

generating, by the at least one processor, an alert based on the one or more predetermined alerts in response to a comparison of the current glucose level of the patient to the adjusted one or more glucose threshold levels ([0148]). Saidara teaches programs, processors, and memory to carry out the method ([0067-0068])

As to claims 22, 31, and 40, Saidara teaches the one or more characteristics of the at least one of the one or more predetermined alerts include a volume of the predetermined alert, a sound generated by the predetermined alert, a frequency of the predetermined alert, an implementation of a vibrating alert, an implementation of a flashing screen, and an option to contact medical personnel ([0149]).

As to claims 24 and 33, Saidara teaches enabling at least one of the one or more predetermined alerts in response to the commencement of the predetermined time period ([0150] – a higher low blood glucose alarm threshold resulting in a different alert).

As to claims 25 and 34, Saidara teaches the predetermined time period comprises a user- designated night mode time period ([0146]).

As to claims 26 and 35, Saidara teaches receiving, by the at least one processor, one or more selections of the one or more predetermined alerts in association with the user-designated night mode time period ([0115], [0125]).

As to claims 27 and 36, Saidara teaches adjusting the one or more glucose threshold levels and/or the one or more characteristics comprises adjusting a glucose threshold level associated with a low glucose level alert; and a glucose threshold level associated with a high glucose level alert is not adjusted in response to determining the commencement of the

predetermined time period ([0150] – while a higher low blood glucose alarm is mentioned, no such change for the high blood glucose alarm is mentioned).

As to claims 28 and 37, Saidara teaches adjusting the one or more glucose threshold levels and/or the one or more characteristics comprises at least one of increasing a low glucose threshold level or decreasing a high glucose threshold level ([0150]).

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, 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.

Claim(s) 23 and 32 is/are rejected under 35 U.S.C. 103 as being unpatentable over Saidara et al. (US 2005/0038332) in view of Johnson et al. (US 2011/0201911).

As to claims 23 and 32, Saidara does not necessarily teach deactivating at least one of the one or more predetermined alerts in response to the commencement of the predetermined time period, although it does teach that the user can set a "blackout" period ([0115]). However, Johnson, in addition to teaching that the length, volume, or type of alert may be changed depending on the selected mode ([0087]), teaches additional modes such as "do not disturb" ([0084]), which would deactivate any alerts during the predetermined time period. As such, it would have been obvious to modify Saidara with Johnson to enable the selection of other types

of modes for greater selection and control over how alerts are presented to the user for ease of use.

Claim(s) 29 and 38 is/are rejected under 35 U.S.C. 103 as being unpatentable over Saidara et al. (US 2005/0038332) in view of Keller et al. (US 2016/0089994).

As to claims 29 and 38, Saidara does not teach determining, before the commencement of the predetermined time period, whether a battery level of a computing device comprising the at least one processor is sufficient to provide power through an end of the predetermined time period; and based on determining that the battery level is not sufficient to provide power through the end of the predetermined time period, generating, before the commencement of the predetermined time period, a notification. Keller teaches a battery management system in which a user, prior to going to sleep, is alerted if there is insufficient battery power to last the duration of the sleep cycle. Accordingly, it would have been obvious to modify Saidara with Keller to alert the user of a potential need to recharge the device before they go into a period of reduced responsiveness.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN JANG whose telephone number is (571)270-3820. The examiner can normally be reached Monday-Friday (7-3:30 EST).

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is

encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Chen can be reached at 571-272-3672. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: https://patentcenter.uspto.gov. Visit https://www.uspto.gov/patents/apply/patent-center for more information about Patent Center and https://www.uspto.gov/patents/docx for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRISTIAN JANG
Primary Examiner
Art Unit 3791

/CHRISTIAN JANG/
Primary Examiner, Art Unit 3791
4/15/26