

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 21

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL I. INGRASSIA, JR., ALEXANDER RIOS,
JAMES A. SHELTON and JOHN A. YAGGIE

Appeal No. 2000-1323
Application No. 08/923,474

ON BRIEF

Before KRASS, JERRY SMITH and BARRETT, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-30, all of the pending claims.

The invention pertains to a method for developing graphical user interfaces (GUI) for Computer Telephone Integration (CTI) applications. More particularly,

telephone call information is displayed on a client workstation using a graphical user interface wherein a user creates an object image symbol using the graphical user interface. A behavior is defined for the object image symbol and information is then collected in one of three ways. The information may be entered through an input device (e.g., keyboard); the information can be collected from an incoming call by a CTI server; and the information can be collected from other application software. The information is automatically collected and displayed using graphical objects. A user does not need to know programming code to create and display an object image symbol or to define a behavior of the object image symbol.

Representative independent claim 1 is reproduced as follows:

1. A method for displaying information on a client workstation, the information collected by a communication management server, comprising the steps of:

(a) creating and displaying an object image symbol using a graphical user interface on the client workstation;

(b) defining a behavior for said created object image symbol without requiring written programming code; and

(c) collecting the information from the communication management server and displaying the information by a graphical object representing said object image symbol.

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The examiner relies on the following references:

Dilts et al. (Dilts)	5,455,854	Oct. 03, 1995
Shastry et al. (Shastry)	5,511,116	Apr. 23, 1996
Bayless et al. (Bayless)	5,754,636 (effective filing date Nov. 01, 1994)	May 19, 1998

Claims 1-30 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the examiner cites Dilts and Bayless with regard to claims 1-18, 20-24 and 26-29, adding Shastry with regard to claims 19, 25 and 30.

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

OPINION

With regard to the independent claims 1, 6 and 10, the examiner takes the position that Dilts discloses the display of information on a client workstation, wherein the information is collected by a communication management server and wherein an object image symbol is created and displayed using a GUI on the client workstation. Specifically, the examiner points to the abstract of Dilts.

The examiner recognizes that Dilts does not teach the steps of defining a behavior of an object image symbol, inputting information into the object image symbol,

collecting the information from a communication management server and displaying the information by a graphical object representing the object image symbol. The examiner then turns to Bayless for these teachings, referring to column 11, line 50, for the teaching of defining a behavior for the created object image symbol without requiring written programming code and referring to column 12, line 20, and Figure 6 for the teaching of inputting telephone call information into a text box for representing the object image symbol. The examiner points to Figure 7 of Bayless for the teaching of collecting the information from a communication management server and displaying the information by a graphical object representing the object image symbol.

Finally, the examiner concludes that it would have been obvious to “use of importing tools, for example the invention disclosed by Bayless for that of Dilts, since this method would provide friendly tools to the users” [sic] [answer-page 5].

For his part, with regard to claim 1, appellant argues, not that the combination of Dilts and Bayless does not teach the claimed invention, but only that the examiner has failed to point to any motivation for making the combination. In fact, appellant admits [principal brief-page 7] that the combination of references “provide better tools to end users” but complains that the examiner has not pointed to any motivation in either Dilts or Bayless for combining these references in the manner suggested.

Appellant also takes issue with the examiner's reliance on Figure 7 of Bayless for the teaching of the claimed collecting step. Appellant states that his review of Figure 7 "does not indicate that [Bayless] collects information from a communication management server and displays the information by a graphical object" [principal brief-page 7].

With regard to independent claim 6, appellant makes the same arguments as with regard to claim 1, supra and, additionally makes the argument that the examiner has ignored "step (c) which provides 'sending the inputted information to the communication management database and storing the sent information in the communication management database'" [principal brief-page 10].

Similarly, with regard to independent claim 10, appellant makes the same arguments as with regard to claim 1, supra and, additionally argues that the examiner has ignored "steps (c) and (d) which provides respectively, 'creating an entry in the table in the database; and sending said inputted information to the table in the communication management server and storing the said information in the communication management database'" [principal brief-page 11].

We do not agree with appellant regarding the lack of motivation for combining the Dilts and Bayless references. Clearly, the references are both in the computerized

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telephony arts, with Dilts directed to enabling a set of object interface application elements and telephony system elements, while Bayless provides a GUI for providing for telephone functions to be accessed through a client computer system. The skilled artisan would have been expected to have knowledge of both of these systems. In our view, it appears to be the examiner's contention that the GUI system of Bayless, which allows for telephone operations to be performed using personal computers, would have led the artisan to include such a system in Dilts as a means to provide for user-friendly tools. This rationale appears reasonable to us, especially in view of appellant's lack of any argument except that the examiner "has not pointed to any motivation" in either of the references for making the combination. In fact, the examiner did provide a reason, or "motivation," by stating that it would have been obvious to "use of importing tools, for example the invention disclosed by Bayless for that of Dilts, since this method would provide friendly tools to the users" [sic]. Perhaps there is a reasonable rebuttal to the examiner's reasoning but appellant has provided none. Therefore, we are not persuaded by appellant's argument that there was no "motivation" for making the combination.

We are persuaded, however, by appellant's argument that the combination of references still fails to teach the claimed "collecting" step of independent claim 1. The

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examiner points to Figure 7 of Bayless for a disclosure of such a collecting step, stating that this step is taught by Bayless in that Bayless "illustrates objects that may be displayed and created by the user of the GUI object builder [see Fig. 7] [answer-pages 4-5].

We, like appellant, have reviewed Figure 7 of Bayless and can find nothing therein indicating that Bayless collects information from a communication management server and displays the information by a graphical object. In fact, the description of Figure 7, in toto, appears at the bottom of column 12 of Bayless:

FIG. 7 illustrates several higher level objects that have been created by a designer and duplicated in Window2 as shown. Specifically, FIG. 7 illustrates a number of low level objects such as the numeric labels and buttons. These low level objects have been grouped into a high level object of a window labeled "Window2".

Clearly, this paragraph contains nothing which would teach the collection of information from a communication management server and displays the information by a graphical object. In the examiner's response to appellant's argument, at pages 16-17 of the answer, the examiner merely repeats the reasoning by pointing to Figure 7 of Bayless with no further explanation.

Accordingly, the examiner has not established a prima facie case of obviousness with regard to the subject matter of independent claim 1. Thus, we will not sustain the

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rejection of claim 1, or of claims 2-5 and claims 14-19, dependent thereon, under 35 U.S.C. § 103. While Shastri is applied in addition to Dilts and Bayless, with regard to claim 19, Shastri fails to provide for the deficiencies of Dilts and Bayless.

Turning to independent claim 6, appellant makes the same argument regarding “motivation” as with claim 1. For the reasons, supra, we find this argument to be not persuasive. However, appellant further notes that the examiner has completely ignored step (c) which provides “sending the inputted information to the communication management database and storing the sent information in the communication management database.”

The examiner’s response is to argue, at page 20 of the answer, that Bayless’ definition files are platform independent and may be created by a design tool of the present invention running on any of the supported platforms and used automatically in all supported platform without conversion (see column 12 lines 44-54). And by updating shared data automatically, each client computer system 14 may always display the most current information (see column 16, lines 52-54). It would have been obvious ... to combine automatically updated information and import the stored information to directory (see Fig.32) into Dilts’ invention. By doing so, the system would enhance by providing the most accurate up-to-date information to end users.

While the examiner has now responded to what he regards as the teaching in the applied references for step (c) of claim 6, we, like appellant, are unpersuaded of

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obviousness. The examiner has cited a portion of the Bayless reference dealing with definition files and automatic updating of shared data to display the most current information on each client computer system but has not established why this is a teaching of step (c) of claim 6. Further, it is unclear how or why the skilled artisan would have employed this automatic updating of shared data or any teaching of definition files to the Dilts's system.

Accordingly, we will not sustain the rejection of claim 6, or of claims 7-9 and 20-25, dependent thereon, under 35 U.S.C. § 103. While Shastri is applied in addition to Dilts and Bayless, with regard to claim 25, Shastri fails to provide for the deficiencies of Dilts and Bayless.

Turning to independent claim 10, appellant makes the same argument regarding "motivation" as with claim 1. For the reasons, supra, we find this argument to be not persuasive. However, appellant further notes that the examiner has completely ignored steps (c) and (d) which provide, respectively, for "creating an entry in the table in the database; and sending said inputted information to the table in the communication management server and storing the sent information in the communication management database."

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The examiner's response, at pages 22-24 of the answer, is to state that Dilts teaches the step of creating and displaying an object image symbol using a GUI on the client workstation and that Bayless teaches the steps of defining a behavior..., inputting the telephone call information into a text box, collecting the information from a communications management server and displaying the information, and storing the information in the communication management database. The examiner then explains why it would have been obvious to combine the Dilts and Bayless teachings to create the data information and to send the information to the desired directory. However, the examiner never addresses the language of steps (c) and (d) of claim 10 regarding the creation of an entry in the table in the database and sending inputted information to the table in the communication management server and storing the sent information in the communication management database.

Accordingly, by not addressing the specific language of the claim and showing how the disclosure of the applied references apply thereto, the examiner has not established a prima facie case of obviousness with regard to claim 10. Thus, we will not sustain the rejection of claim 10, or of claims 11-13 and 26-30, dependent thereon, under 35 U.S.C. § 103. While Shastry is applied in addition to Dilts and Bayless, with regard to claim 30, Shastry fails to provide for the deficiencies of Dilts and Bayless.

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The examiner's decision rejecting claims 1-30 under 35 U.S.C. § 103 is reversed.

REVERSED

ERROL A. KRASS)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
JERRY SMITH)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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LEE E. BARRETT)	
Administrative Patent Judge)	

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