

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today
(1) was not written for publication in a law journal and
(2) is not binding precedent of the Board.

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEPHEN R. LEVINE,
ALEX J. HARUI,
KAREN DONOGHUE,
MICHAEL W. SCHIRPKE,
and STEPHEN P. BOYLAN

Appeal No. 1997-3130
Application 08/483,772

ON BRIEF

Before HAIRSTON, BARRETT and FRAHM, Administrative Patent
Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims
34 through 45.

The disclosed invention relates to a video display in a

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data processing system that permits reduced sized images of
documents

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that are partially readable to be moved into and out of an open folder on the display.

Claim 34 is the only independent claim on appeal, and it reads as follows:

34. A data processing system comprising

a video display for displaying a screen view of a reduced size image of a document which is at least partially readable,

user input means coupled to the display for moving a reduced sized image in the screen view,

folder means for associating a plurality of reduced size images in a stacked arrangement having a closed folder view within the screen view and an open folder view within the screen view,

the folder including means responsive to the user input means for converting the closed folder view of a folder to an open folder view of the folder permitting a user to move a reduced image, responsive to the user input means, into and out of the folder while the folder is in an open folder view.

The references relied on by the examiner are:

Yoneyama et al. (Yoneyama)	4,601,003	July 15, 1986
Beard et al. (Beard)	4,899,136	Feb. 6, 1990
		(filed Apr. 28, 1986)

Claims 34 through 45 stand rejected under 35 U.S.C. § 103 as being unpatentable over Yoneyama in view of Beard.

Reference is made to the briefs and the answer for the

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respective positions of the appellants and the examiner.

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OPINION

The obviousness rejection of claims 34 through 45 is reversed.

Yoneyama discloses an office view on display 52 that includes a filing cabinet 90, a desk 92, a document tray 94 and a wastebasket 96 (Figure 4). The first drawer 98-1 is thereafter selected by the viewer (Figure 5). Each of the drawers in the filing cabinet has guide plates 102 located between document holders 100 (Figures 5 through 7).

According to the examiner (Answer, pages 3 and 4):

[A]lthough Yoneyama et al. appear to restrict their **explicit** disclosure to stopping at the opened file drawer level, and not "an open folder view" with "a reduced size image of a document", it would have been obvious to a person having ordinary skill in the art at the time of appellant's invention to extend the office metaphor hierarchy one step lower to the level of individual document images, which, as in the file drawer "stacked arrangement" of folders in Yoneyama et al., will similarly depict a realistic image of the inside of a folder. This furthers the aim of Yoneyama et al.'s user-friendly manipulation of document elements to be arranged within folders.

Beard discloses a display screen 50 with a desktop 54 that shows a variety of icons or symbols (Figures 3 through 5). The displayed icons include document icons 64A and 64B,

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and folder icon 68. Beard explains (column 12, lines 29 through 31) that the document icons may be dropped or released "onto a file folder icon." Beard further explains (column 12, line 65 through column 13, line 2) that "[o]pening of folder icon 68 will reveal a directory listing objects contained in the folder either by alphabetical order or chronologically by version date, any one of which may be opened in the folder or moved from the folder and placed on desktop 54."

Based upon the teachings of Beard and Yoneyama, the examiner concludes (Answer, pages 4 and 5) that "[i]t would have been further obvious to the person having ordinary skill in the art to equip an openable file folder as per Yoneyama et al.'s suggestions with a capability to accept movable page representations, because this feature of Beard et al.'s more schematically-illustrated document/folder correlation will then take on a greater degree of realism as seen by the user, whom Yoneyama et al. wish to provide with as close as simulation as possible to working with the actual paper copies."

Appellants argue (Brief, page 5) that "[n]either reference discloses any representation of a stacked

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arrangement of documents." We agree. Appellants also argue (Brief, page 6) that "Beard expressly states that a document icon can be associated with a folder icon by moving the document icon over the folder icon and releasing it with the mouse but the document icon is not displayed within an open folder view of the folder icon, but rather, only the titles of the documents are listed in the open folder view of a folder icon," and that "Yoneyama does not disclose nor suggest an open holder view of a holder 100 and the documents associated with the holder are listed in a directory that is located outside of and separate from a holder" We agree. Lastly, appellants argue (Brief, page 8) that:

The Examiner contends, incorrectly, that because Yoneyama's office metaphor presents realistic pictures of office elements within each descending view within a plurality of graphical user interface views, it would have been obvious to extend Yoneyama's metaphor down one more level to include a stacked arrangement of realistic images of documents. This extension of Yoneyama is possible only by virtue of hindsight.

We agree.

In summary, Beard's icons 64A and 64B are not partially

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readable images of a document, and Yoneyama never contemplated an open folder view of documents. The obviousness rejection of claims 34 through 45 is, therefore, reversed because the applied references neither teach nor would have suggested the claimed "reduced size image of a document which is at least partially

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readable," and the "open folder view of the folder permitting a user to move a reduced image, responsive to the user input means, into and out of the folder."

DECISION

The decision of the examiner rejecting claims 34 through 45 under 35 U.S.C. § 103 is reversed.

REVERSED

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KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
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)	
)	BOARD OF PATENT
LEE E. BARRETT))
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
ERIC FRAHM)	
Administrative Patent Judge)	

KWH:hh

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